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Janie Miller
Secretary

January 30, 2009

U.S. Department of Education
Attn: Janet Scire/Mail Stop 2600
7100 Old Landover Road
Landover, MD 20785-1506

Dear Ms. Scire,

Enclosed is the Kentucky Part C (First Steps) Annual Performance Report, which covers performance during State Fiscal Year 2008 (Federal Fiscal Year 2007) in accordance with the Individuals with Disabilities Education Improvement Act of 2004, signed in December, 2004.

If you have any questions or concerns regarding the information in this report, please contact Kirsten Hammock, Part C Coordinator, at 502/564-3756, extension 3973.

Sincerely,

Steve Davis, M.D.
Deputy Commissioner
Kentucky Department for Public Health

Enclosure

**ANNUAL REPORT CERTIFICATION OF THE
INTERAGENCY COORDINATING COUNCIL
UNDER PART C OF THE
INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)**

Under IDEA Section 641(e)(1)(D) and 34 CFR §303.654, the Interagency Coordinating Council (ICC) of each jurisdiction that receives funds under Part C of the IDEA must prepare and submit to the Secretary of the U.S. Department of Education (Department) and to the Governor of its jurisdiction an annual report on the status of the early intervention programs for infants and toddlers with disabilities and their families operated within the State. The ICC may either: (1) prepare and submit its own annual report to the Department and the Governor, or (2) provide this certification with the State lead agency's Annual Performance Report (APR)¹ under Part C of the IDEA. This certification (including the annual report or APR) is due no later than February 2, 2009.

On behalf of the ICC of the State/jurisdiction of Kentucky, I hereby certify that the ICC is: [please check one]

1. ☐ Submitting its own annual report (which is attached); or
2. ☒ Using the State's Part C APR for FFY 2007 in lieu of submitting the ICC's own annual report. By completing this certification, the ICC confirms that it has reviewed the State's Part C APR for accuracy and completeness.²

I hereby further confirm that a copy of this Annual Report Certification and the annual report or APR has been provided to our Governor.


Signature of ICC Chairperson

1-29-09
Date

Lynne J. Flynn
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502-564-4321
Daytime telephone number

¹ Under IDEA Sections 616(b)(2)(C)(ii)(II) and 642 and under 34 CFR §80.40, the lead agency's APR must report on the State's performance under its State performance plan and contain information about the activities and accomplishments of the grant period for a particular Federal fiscal year (FFY).

² If the ICC is using the State's Part C APR and it disagrees with data or other information presented in the State's Part C APR, the ICC must attach to this certification an explanation of the ICC's disagreement and submit the certification and explanation no later than February 2, 2009.

Overview of Kentucky's Annual Performance Report (APR) Development Process

Kentucky's SPP/APR Workgroup is a broad stakeholder group comprised of parents and providers, First Steps Central Office staff, regional Point of Entry (POE) staff, Technical Assistance Team (TAT) staff and Interagency Coordinating Council membership. The SPP/APR Workgroup has met on a regular basis since November, 2006. At each meeting the workgroup discusses updates from the Office of Special Education Programs (OSEP); new SPP/APR resources and materials; available data and data needs; the status of improvement activities and the impact of the improvement activities on program performance.

Workgroup subcommittees were created around SPP/APR indicators. Subcommittees completed the initial review and analysis of all data related to their indicator, sought and obtained additional data and related information when necessary, updated the workgroup on the status of improvement activities and program performance related to their indicator and completed the APR or SPP template. Subcommittees met both during and in between full Workgroup meetings and contributed a significant amount of time and effort to the APR development process.

Kentucky's Interagency Coordinating Council (ICC) was represented on the SPP/APR Workgroup and the full Council reviewed the FFY 2007 APR prior to its submission on February 2, 2009. The FFY 2007 APR will be posted to the First Steps website for the public to review on February 2, 2009 and the performance of each district (EIS program) on the targets in the SPP will be reported to the public via the First Steps website no later than June 30, 2009. The First Steps website is: fs.chfs.ky.gov.

Part C State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development: see *Overview of Kentucky's State Annual Performance Report Development Process*.

Monitoring Priority: Early Intervention Services In Natural Environments

Indicator 1: Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner.

(20 U.S.C. 1416(a)(3)(A) and 1442)

<p>Measurement: Percent = [(# of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner) divided by the (total # of infants and toddlers with IFSPs)] times 100.</p>
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<p>Account for untimely receipt of services.</p>
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FFY	Measurable and Rigorous Target
2007 (2007-2008)	100% of infants and toddlers with IFSP's will receive the early intervention service on their IFSP's in a timely manner
2008 (2008-2009)	100% of infants and toddlers with IFSP's will receive the early intervention service on their IFSP's in a timely manner
2009 (2009-2010)	100% of infants and toddlers with IFSP's will receive the early intervention service on their IFSP's in a timely manner
2010 (2010-2011)	100% of infants and toddlers with IFSP's will receive the early intervention service on their IFSP's in a timely manner

APR Template – Part C (4)

KENTUCKY
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Response to Kentucky Part C FFY 2006 SPP/APR Response Table

The FFY 2006 SPP/APR Response Table requires Kentucky to “report correction of noncompliance identified in the FFY 2006 APR” and “demonstrate that the uncorrected noncompliance was corrected”. The FFY 2006 APR reported 80% compliance with Indicator 1. The FFY 2007 APR herein reports 81.2% compliance. In FFY 2006, Kentucky began reporting findings according to the definition provided by OSEP. Findings of noncompliance were reported by EIS program rather than by individual provider as they had been in the past. In FFY 2007, Kentucky reviewed all EIS programs again to assess compliance with Indicator 1. No program had achieved full compliance. Therefore, Kentucky is unable to demonstrate correction of the noncompliance identified in FFY 2006. Further, Kentucky is unable to demonstrate that the uncorrected noncompliance was corrected. The FFY 2005 noncompliance reported as corrected in Indicator 9 of the FFY 2006 APR was identified through a complaint. Child-level correction was able to be determined. The remaining noncompliance identified in Indicator 9 of the FFY 2006 APR was identified through the state’s data system. Again, findings of noncompliance were reported by EIS program rather than by individual provider as they had been in the past. In FFY 2007, Kentucky reviewed all EIS programs again to assess compliance with Indicator 1. No program had achieved full compliance. Therefore, Kentucky is unable to demonstrate correction of the noncompliance identified in FFY 2005.

Kentucky’s current monitoring system is unable to efficiently or effectively assist the state in determining timely correction of noncompliance. Kentucky believes this to be a critical program need. As was indicated previously, Kentucky is working with its TA partners (DAC, MSRRRC and NECTAC) to redesign its monitoring system as it restructures its system of General Supervision. Kentucky will assure that the new system design is able to effectively and efficiently address the timely correction of noncompliance.

Actual Target Data for FFY 2007:

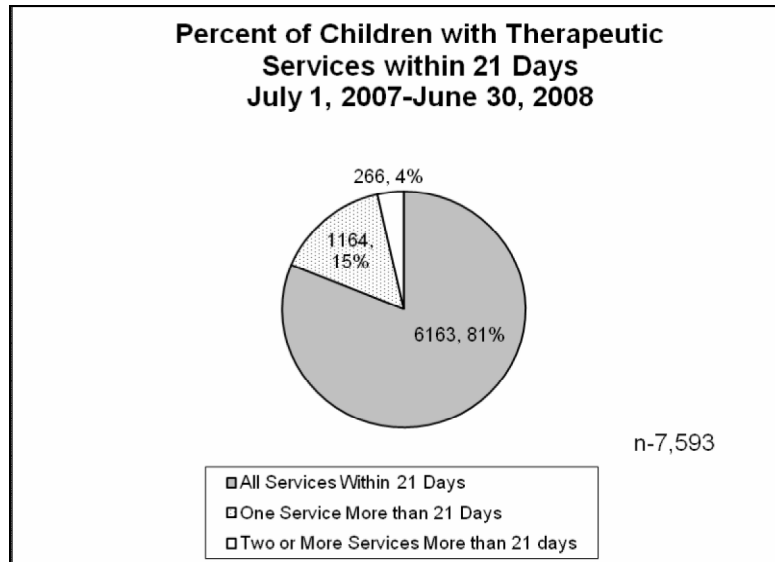


Figure 1

During FFY 2007 (July 1, 2007 through June 30, 2008) **81.2%** of all children in Part C were deemed to have received all services listed on their IFSPs occurring during the year in a timely manner (Figure 1). Services considered timely were those initiated in less than three weeks (21 days) from the service start date and included all services on all plans in effect during FFY 2007. The service start date was determined by the IFSP Team, including the parent.

APR Template – Part C (4)

KENTUCKY
State

During FFY 2007, Kentucky continued to use the 21 calendar day timeline to measure timely delivery of services. Kentucky did investigate changing this standard from 21 calendar days to 30 calendar days but did not do so for the FFY 2007 reporting period. This issue was discussed with OSEP and Kentucky's TA partners during the onsite Data Verification visit in December, 2008 where it was shared that the 30 calendar day standard would not be out of line with timeliness standards established by other Part C programs. This issue was further discussed with the State ICC in January, 2009. It is anticipated that Kentucky will adopt the 30 calendar day standard and this will be reflected in the FFY 2008 Annual Performance Report due February 1, 2010.

Kentucky now understands that the timeliness measure used in FFY 2006 is not consistent with the measurement criteria for this Indicator. Per Kim Mitchell and Ginger Sheppard, OSEP considers the *date of parent consent* or the *date of the IFSP* to be the service start date. Ms. Mitchell and Ms. Sheppard further clarified that projected service initiation dates may be used. However, if used, services must begin exactly on the date specified in the IFSP. Ms. Mitchell and Ms. Sheppard clarified this during the Data Verification visit which occurred during the first week of December, 2008. By that time, FFY 2007 data for Indicator 1 was final and the contract with Kentucky's current data system vendor was drawing to a close. It was not possible to adjust the reporting parameters. Therefore, the FFY 2007 report for Indicator 1 uses the same measurement criteria as the FFY 2006 report for Indicator 1.

Kentucky wishes to respectfully express concern with the measurement OSEP is expecting for this Indicator. Per the FFY 2006 SPP/APR Response Table, "the IFSP service initiation date is established by the IFSP team, which includes the parent, and may serve as the standard, but the State may not add an additional period to this date." In Kentucky, the IFSP team, including the parent, determines the service initiation date. For many services that date is equal to the IFSP date, which is the date on which the parent consents to implement the IFSP. However, for some services that date is further along in the plan. For example, an IFSP Team may determine that Developmental Intervention and Speech Therapy should begin immediately and an Audiological Assessment should be completed in three months. In this case, the DI and ST service initiation dates will be consistent with the IFSP date. However, the Audiology service initiation date will be three months after the IFSP date.

During the Data Verification Visit OSEP explained that it is acceptable for an IFSP Team to set a projected service initiation date. However, OSEP clarified that the State may not add an additional period to this date. Therefore, the service would have to begin on the exact date specified in the plan or the service must be considered untimely. This is not reasonable. While Kentucky fully understands the intent behind this measure – to assure the timely provision of services and to prevent States from unduly delaying the provision of services, Kentucky feels that requiring States to assure the provision of services on a specified date versus within a specified period fails to recognize the realities associated with providing early intervention services. In the example provided above, the IFSP Meeting Date may be January 1, 2009 and the IFSP Team may set a projected Audiology service initiation date of April 1, 2009. When the appointment with Audiology is scheduled, an appointment may not be available until April 3rd or other scheduling conflicts may prevent services from starting exactly on April 1st. According to the measurement provided by OSEP, provision of services on any date after April 1st – even if that date falls within acceptable parameters of timeliness set by the State - would be considered untimely delivery of services.

Kentucky will change its reporting criteria for FFY 2008 to comply with the measurement standard set forth by OSEP. This will require Kentucky to judge timeliness in relation to the IFSP date rather than the service start date. This will further require Kentucky to develop a mechanism by which to manually review exceptions which may be justified (i.e., services like Audiological assessments and Nutrition consults that are provided on a more consultative basis and generally do not start within 21 days of the IFSP). Kentucky is very concerned about the significant administrative burden this will place on Kentucky's Central Office and Monitoring staff and would welcome further dialogue with OSEP and/or its TA partners to address this issue.

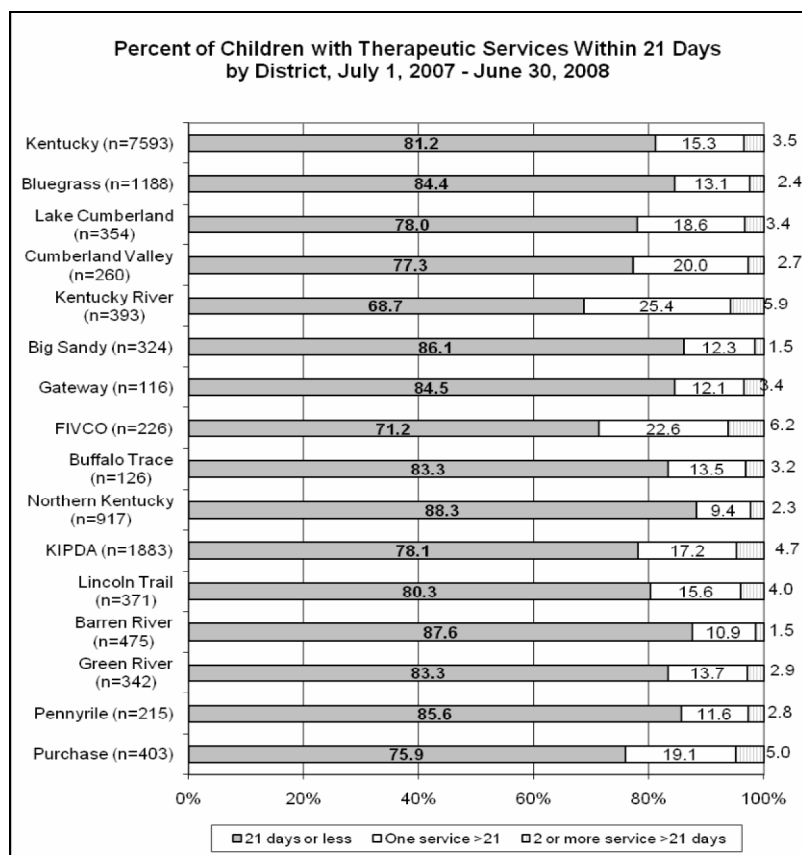


Figure 2

Kentucky has continued to further subdivide the timely delivery services table to the district and service levels. As stated previously, Kentucky has used the same measurement for this indicator as last year so we are able to report accurate progress or slippage by district. While the overall state percentage has increased, most districts saw slippage in the timely delivery of services (Figure 2).

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

IMPROVEMENT ACTIVITY	TIMELINE	STATUS
1. Allow Primary Level Evaluators to provide intervention services in areas of provider shortages to minimize the impact of provider shortages on timely service provision.	July 2005	Completed. Although this was always allowed, in the past there was misinformation throughout the state regarding this issue. This point has been clarified across the state, opening up a host of early intervention providers in areas of shortage where service initiation might otherwise be delayed secondary to provider shortages.
2. Provide training to the Technical Assistance Teams on service provision in a timely manner.	January 2006	Completed.

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3. Provide training to the Service Coordinators on service provision in a timely manner.	March – June 2006	Completed. Information regarding the timely provision of services is included in the First Steps Service Coordination Training and was shared with all POE staff.
4. Provide training to the Service Providers on service provision in a timely manner.	March – August 2006	Completed. Information regarding the timely provision of services is included in Provider Orientation training and has been shared on multiple occasions and in multiple formats with current service providers.
5. Provide Monitoring to review effects of training on service provision in a timely manner.	September 2006 – June, 2011	<p>Convened group of program evaluators and central office staff to evaluate current monitoring system and make changes as needed.</p> <p>UPDATE February 2009: As a follow-up to the OSEP Data Verification visit, a two-day planning meeting has been scheduled in March, 2009 to provide a time for Kentucky Part C to meet with representatives from MSRRRC, NECTAC and NCSEAM to address General Supervision, including monitoring activities.</p>
6. Investigate requiring semi-annual meetings/trainings for all providers in order to have a regular venue for trainings on changes and new developments such as timely services.	July 2006 – June 2007	Completed. CSPD Committee reconvened and supported this recommendation.
7. Investigate having all independent Primary Service Coordinators under an umbrella of support, mentoring and supervision in order to observe and verify effects of training on topics such as timely services.	July 2008 – June 2009	Stakeholder workgroup convened in 2007 and recommended merger of PSC and ISC under the administrative umbrella of the POE. First Steps Central Office has investigated the financial and logistical implications of this recommendation and has found that this is not financially feasible in SFY09. First Steps Central Office is taking steps toward implementing this recommendation in SFY10.
8. Implement a system to gather data regarding the specific reason(s) for noncompliance with the initiation of services on the IFSP in a timely manner.	July, 2007 – June 2009	Discussions completed to identify the program needs with regard to specific data. A proposed policy for data collection regarding reason for delay was drafted and presented to the Points of Entry. The proposed policy

APR Template – Part C (4)

KENTUCKY
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		<p>has also been opened for public comment and is now scheduled to go into effect in January 2008.</p> <p>UPDATE February, 2009: A policy to identify service delays in a timely manner was implemented in January, 2008. This process includes the completion of a hardcopy report by all Primary Service Coordinators in the State. Upon review of the first 9 months of reports and feedback from Points of Entry, it appears that the majority of service delays can be attributed to family reasons. Kentucky is not currently able to include this information as an offset to the data provided in this Indicator because of inconsistencies in reporting. Rather, Kentucky is working with their new data system designer to develop an automated mechanism to distinguish service delays for system reasons from service delays for family reasons.</p>
9. Monitor the implementation of all Improvement activities, assess their impact on the initiation of services on the IFSP in a timely manner, and revise as necessary.	July, 2007 – June 2011	<p>Kentucky will be revising the General Supervision system so that monitoring can focus more directly on the APR compliance indicators.</p> <p>UPDATE February, 2009: See Improvement Activity #5 for an update regarding General Supervision and monitoring.</p>
10. Provide targeted training to all service coordinators and service providers regarding the “effective date” or start date of services.	January 2008 – July 2009	<p>Kentucky is currently making significant changes to the New Service Coordinator/Service Provider orientation and training.</p> <p>UPDATE February, 2009: Given the information shared by OSEP during the Data Verification visit, it appears the targeted training and TA that has been conducted over the past year has been inaccurate. Information will need to be corrected and disseminated to Primary Service Coordinators in the State. This can be completed within the current timeframe, since that timeframe extends through July 2009.</p>
11. Investigate developing a provider matrix for service provision to make	July, 2008 – June	<p>UPDATE February, 2009: Kentucky’s new data management system (TOTS)</p>

APR Template – Part C (4)

KENTUCKY
State

the process of selecting and scheduling service providers less time consuming.	2009	includes a mechanism for providers to control their availability online, whereby streamlining the referral process for service coordinators.
12. Recruit and retain an adequate supply of service providers to meet service provision needs.	July, 2008 – June 2011	<p>Some areas of Kentucky continue to experience provider shortages that have a direct impact on provision of services in a timely manner.</p> <p>UPDATE February, 2009: In January, 2008, Primary Service Coordinators began reporting service delays to the Point of Entry Manager. Included in that report was the reason for the delay. In areas where reporting has been consistent, it appears that the majority of service delays are due to family reasons. This information has made it difficult to quantify provider shortages, which was a primary reason for implementing the service delay reporting process. An automated process in Kentucky's new data system to identify and analyze service delay reasons should assist with this matter.</p>
13. Implement mandatory semi-annual meetings/trainings for all providers in order to have a regular venue for trainings on topics such as timely service provision.	July 2008 – June 2010	This will not be a required face to face meeting but will be required at the time of provider contract renewal.

Discussion of Progress or Slippage that Occurred in FFY 2007

In FFY 2006, Kentucky demonstrated 80% compliance with Indicator 1. In FFY 2007, Kentucky demonstrated 81.2% compliance with Indicator 1. As has been indicated in the narrative and the Improvement Activities table, this data is not reflective of parent delays. As has also been indicated in the narrative and the Improvement Activities, the service delay reporting process indicates that the majority of service delays can be attributed to parent reasons.

While the progress reported here may seem slight, it was made in the face of dramatic program growth (as demonstrated in Indicator 6). So as the program experienced incomparable growth over the course of one fiscal year and no corresponding increase in available service providers or federal or state funding, the program was not only able to maintain their level of performance related to timely service provision, but improve on it.

This said, Kentucky is very concerned with its continued failure to achieve full compliance with this Indicator. Last year's APR reasoned that noncompliance was largely due to the manner in which services were authorized. At the time, all services were authorized to begin on the date of the IFSP – regardless of whether or not the service was supposed to begin on that day (or within 21 days of that day). Last year's APR spoke to targeted technical assistance that would be provided to the field in order to assure that the service initiation date was accurately reflected. Targeted technical assistance was provided. However, the improvement Kentucky anticipated was not realized.

APR Template – Part C (4)

KENTUCKY
State

Kentucky sees an urgent need for two concurrent activities: 1) development of a mechanism to distinguish *justified* or *acceptable* service delays (i.e. service delays due to parent reasons) from unacceptable service delays (i.e. service delays due to system issues); and 2) completion of a root cause analysis across multiple EIS programs.

As OSEP is aware, Kentucky is in the midst of a transition to a new data management and claims processing system. The new system will afford Kentucky tremendous data management and analysis flexibility. Kentucky has already begun the process of designing a mechanism to quantify and categorize service delays. That mechanism will be further refined in the Spring, 2009.

Kentucky has also begun the root cause analysis (RCA) process to further investigate the reasons for Kentucky's continued noncompliance and to assist in the planning process to facilitate remediation. All EIS programs were required to complete Performance Enhancement Plans (PEPs) in response to their local determinations. Those plans were due on December 31, 2008. Kentucky's Part C program is in the process of reviewing those plans to determine whether or not they are sufficient to facilitate timely correction of noncompliance. A review of current performance data and information from the PEP review process will assist Kentucky's Part C program in determining RCA target areas.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007

IMPROVEMENT ACTIVITY	TIMELINE	JUSTIFICATION/RESOURCES
14. Develop a mechanism to distinguish <i>justified</i> or <i>acceptable</i> service delays from unacceptable service delays.	January 2009 – April 2009	<p>Justification: Kentucky Part C is currently unable to determine whether services that are determined to be delayed are delayed due to reasons which would permit the State to exclude them from aggregate federal reporting and report them separately. Such a mechanism would allow Kentucky to assess the extent to which system issues affect timely service provision, as well as to more accurately report on program compliance.</p> <p>Resources: Part C Central Office staff, Part C Data Manager, TOTS System Design Team</p>
15. Conduct a Root Cause Analysis related to the issue of untimely service provision.	January, 2009 – June 2011	<p>Justification: In preparing for the FFY 2006 APR, Kentucky's APR Workgroup reasoned that noncompliance could be attributed to the manner in which service initiation dates are set in the IFSP. Upon review of the FFY 2007 data, this does not appear to explain Kentucky's continued level of noncompliance. Kentucky feels that a targeted Root Cause Analysis would assist the State in determining the reason(s) for continued noncompliance and in planning for correction of that noncompliance.</p>

APR Template – Part C (4)

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		Resources: Part C Central Office staff, First Steps Program Evaluators, Point of Entry Management staff, Kentucky TA partners (MSRRC, NECTAC).
16. Work with Kentucky's TA partners to revise the current monitoring system and restructure the system of General Supervision in order to develop a process to systematically identify findings of noncompliance and monitor and document the timely correction of noncompliance.	December 2008 – June 2010	<p>Justification: Kentucky's current monitoring system is unable to efficiently or effectively assist the state in determining timely correction of noncompliance. Kentucky believes this to be a critical program need.</p> <p>Resources: Part C Central Office staff, First Steps Program Evaluators, Point of Entry Management staff, Kentucky TA partners (MSRRC, NECTAC, and DAC).</p>

Part C State Annual Performance Report (APR) for 2007

Overview of the Annual Performance Report Development: See *Overview of Kentucky's Annual Performance Report* document.

Monitoring Priority: EARLY INTERVENTION SERVICES IN NATURAL ENVIRONMENTS

Indicator 2: Percent of infants/toddlers who primarily receive early intervention services in the home or community based settings.

Measurement: Percent=# of infants and toddlers with IFSPs who primarily receive early intervention services in the home or community based settings divided by the total # of infants and toddlers with IFSPs times 100.
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FFY	Measurable and Rigorous Target
2007 (2007-2008)	98.7% of infants and toddlers will receive early intervention services in the home or programs for typically developing children.
2008 (2008-2009)	98.7% of infants and toddlers will receive early intervention services in the home or programs for typically developing children.
2009 (2009-2010)	98.7% of infants and toddlers will receive early intervention services in the home or programs for typically developing children.
2010 (2010-2011)	98.7% of infants and toddlers will receive early intervention services in the home or programs for typically developing children.

APR Template – Part C (4)

KENTUCKY
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Actual Target Data for FFY 2007:

In FFY 2007 99.5% of infants and toddlers participating in Kentucky's Part C program primarily received early intervention services in the home or programs for typically developing children. This exceeds Kentucky's rigorous and measurable target of 98.7%.

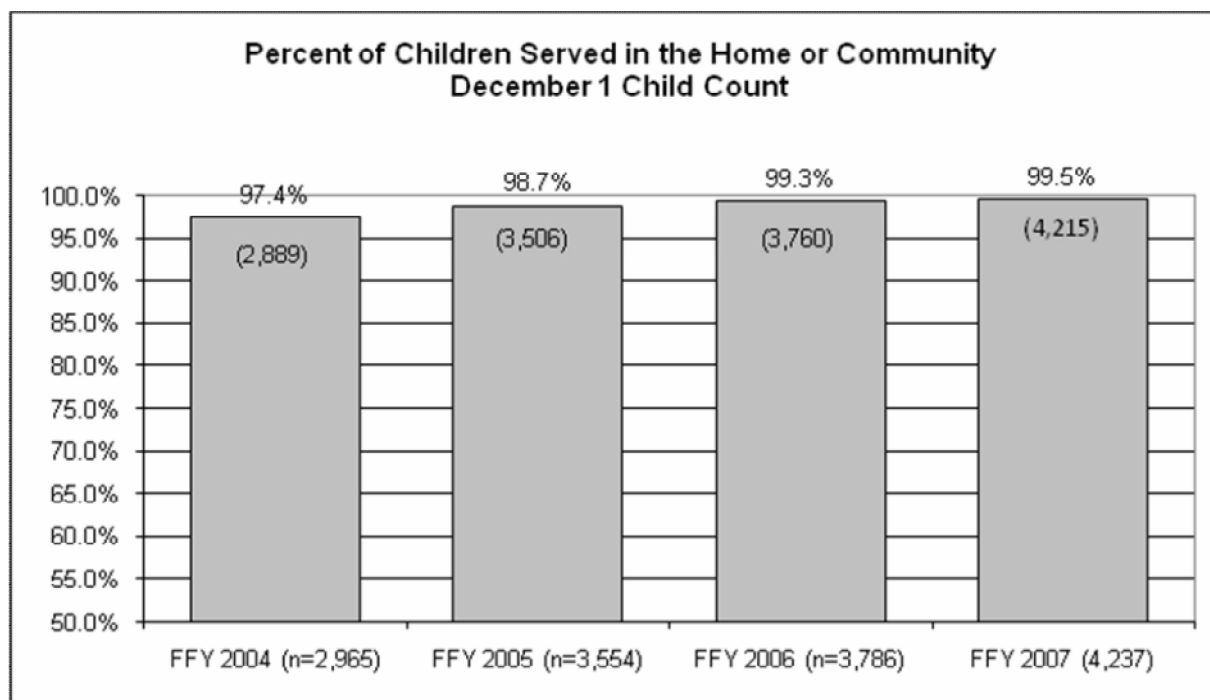


Figure 1

Kentucky reports on all categories specified in the Section 618 data. Data is collected from Primary Service Coordinators who report the setting in which the majority of early intervention services are delivered.

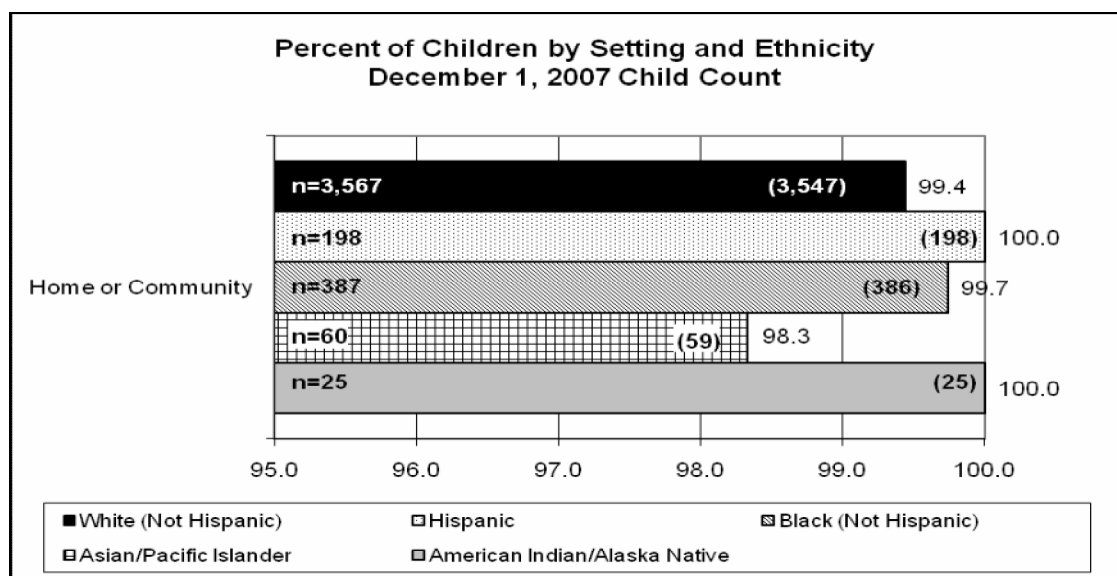


Figure 2

APR Template – Part C (4)

KENTUCKY
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Figure 2 shows the Section 618 data by ethnicity. As Figure 2 illustrates, infants/toddlers of Asian/Pacific Islander ethnicity primarily receive their early intervention services in the home or community setting less often than other ethnic groups. However, this is based on a very small N and when totaled falls just short of the measurable and rigorous target that Kentucky has set. Therefore, Kentucky does not feel this warrants intervention at this time.

Discussion of Improvement Activities Completed and Explanation of Progress of Slippage that occurred for FFY 2007

IMPROVEMENT ACTIVITY	TIMELINE	STATUS
1. Revise the data system to capture all nine (9) settings categories.	April 2006	This activity is complete
2. Provide training to the Technical Assistance Teams on the nine (9) settings categories.	May 2006	This activity is complete
3. Revise the six-month progress report requirements for therapeutic interventions to include data on the settings of all services delivered in that six months.	May 2006	This activity is complete.
4. Train all providers on the nine (9) settings categories, the revised six-month progress report requirements and the revised data form to capture settings data.	June 2006-August 2006	This activity is complete.
5. Revise monitoring document and embedded reporting to capture new information.	July 2007-June 2008	UPDATE February, 2009: The Program Evaluation system conducted focused monitoring in 2008 to collect Indicator 2 performance data from 7/1/07 to 6/30/08 utilizing a revised monitoring document. Data was gathered from IFSP documentation including acceptable justification if services were not provided in Natural Environments.
6. Develop training on natural environments to include coaching parents and use of Kentucky's Early Childhood Standards.	July 2007-June 2008	UPDATE February 2009: Kentucky Part C attempted to work with a University partner to develop training for providers on typical childhood development to include training providers to

APR Template – Part C (4)

KENTUCKY
State

		coach parents on the Early Childhood Standards as well as physical and social/emotional growth and development. During the timeframe designated for this activity, the program's attention was necessarily focused on the development and implementation of the new data management and billing system (TOTS). This activity was not completed. Kentucky's APR workgroup reviewed this improvement activity in preparation for the FFY 2007 APR submission and feels that it remains a necessary activity. Additionally, new provider contracts require that providers document 3 clock hours of typical child development training prior to June 30, 2010. Recent work has been done to develop an online module for providers which would provide this basic level of developmental training in an accessible format. The timeline for this activity is being extended to December 31, 2009.
7. Implement, evaluate and modify as necessary, new monitoring procedures.	July 2007-June 2011	UPDATE February 2009: Kentucky is working to restructure its system of General Supervision, including its system of monitoring. An onsite TA visit has been scheduled in March, 2009 with representatives from MSRRC, NECTAC and DAC (the OSEP State Contact is invited) to assist with this process.

Explanation of Progress or Slippage that Occurred for FFY 2007:

Kentucky continues to exceed the performance targets set by the state and is continuing to support the implementation of a Consultative Model of service delivery. Kentucky is pleased with its level of performance and is looking forward to the onsite TA visit in March to outline an effective method of monitoring and General Supervision.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007:

Kentucky is not making any revisions to proposed Targets/Improvement Activities/Timelines/Resources for FFY 2007.

Part C State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: see *Overview of Kentucky's State Annual Performance Report Development Process*. Kentucky's revised SPP is located on the First Steps website at fs.chfs.ky.gov, specifically at the following link:

Monitoring Priority: Early Intervention Services in Natural Environments

Indicator 3: Percent of infants and toddlers with IFSPs who demonstrate improved: A. Positive social-emotional skills (including social relationships); B. Acquisition and use of knowledge and skills (including early language/communication); and C. Use of appropriate behaviors to meet their needs. (20 USC 1416(a)(3)(A) and 1442)

Measurement:

A. Positive Social-emotional skills (including social relationships):

a. Percent of infants and toddlers who reach or maintain functioning at a level comparable to same-aged peers = # of infants and toddlers who reach or maintain functioning at a level comparable to same-aged peers divided by # of infants and toddlers with IFSPs assessed times 100.

b. Percent of infants and toddlers who improve functioning = # of infants and toddlers who improved functioning divided by # of infants and toddlers with IFSPs assessed times 100.

c. Percent of infants and toddlers who did not improve functioning = # of infants and toddlers who did not improve functioning divided by # of infants and toddlers with IFSPs assessed times 100.

If children meet the criteria for a, report them in a. Do not include children reported in a in b or c. If a + b + c does not sum to 100% explain the difference.

B. Acquisition and use of knowledge and skills (including early language/communication):

a. Percent of infants and toddlers who reach or maintain functioning at a level comparable to same-aged peers = # of infants and toddlers who reach or maintain functioning at a level comparable to same-aged peers divided by # of infants and toddlers with IFSPs assessed times 100.

b. Percent of infants and toddlers who improve functioning = # of infants and toddlers who improved functioning divided by # of infants and toddlers with IFSPs assessed times 100.

c. Percent of infants and toddlers who did not improve functioning = # of infants and toddlers who did not improve functioning divided by # of infants and toddlers with IFSPs assessed times 100.

If children meet the criteria for a, report them in a. Do not include children reported in a in b or c. If a + b + c does not sum to 100% explain the difference.

C. Use of appropriate behaviors to meet their needs:

a. Percent of infants and toddlers who reach or maintain functioning at a level comparable to same-aged peers = # of infants and toddlers who reach or maintain functioning at a level comparable to same-aged peers divided by # of infants and toddlers with IFSPs assessed times 100.

b. Percent of infants and toddlers who improve functioning = # of infants and toddlers who improved functioning divided by # of infants and toddlers with IFSPs assessed times 100.

c. Percent of infants and toddlers who did not improve functioning = # of infants and toddlers who did not improve functioning divided by # of infants and toddlers with IFSPs assessed times 100.

If children meet the criteria for a, report them in a. Do not include children reported in a in b or c. If a + b + c does not sum to 100% explain the difference.

SPP Template – Part C (3)

KENTUCKY
State

Overview of Issue/Description of System or Process:

Beginning in 2002, Kentucky's early childhood community of practice developed a common process for measuring progress on child outcomes based on the *Kentucky Early Childhood Standards* (2002), developed and implemented for all children aged birth to five years. This system was adopted by Part C in 2006-2007 and used in 2007-2008 for progress monitoring analyses.

Approach

In response to OSEP guidance and in consultation with staff from the National Early Childhood Outcomes Center, the state continued the 2006-2007 approach to child outcome measurement system. This system is based on recommended practice for continuous assessment and progress monitoring for children aged birth to five years as defined by the KY *Early Childhood Standards* (2002) and *Continuous Assessment Guide* (2004). Three assessment instruments were approved for monitoring children's progress for 2007-2008:

- *Assessment, Evaluation and Programming System for Infants and Children Second Edition* (AEPS; Bricker et al. 2002)
- *Carolina Curriculum for Infants and Toddlers (CCITSN; Johnson-Martin et al., 2004)*, and
- *Hawaii Early Learning Profile (HELP; Parks, 2006)* for children aged birth to three years.

These three assessment tools were selected based on their technical adequacy, use of functional goals and multiple domains, utility for diverse populations, opportunities for the use of multiple modalities for collecting data, involvement of families, ease of administration, and their current use in the field. Providers used one or more of these instruments to assess children as they entered EI, annually at review, and prior to exit from EI.

Data Collection

Beginning July 2007, POE staff and/or providers have provided item level assessment data for analyses for children who were determined eligible for First Steps through an established risk condition (beginning 2008, assessment data is being collected on all First Steps children). Data was collected and managed through the Kentucky Early Childhood Data System (KEDS). For 2007, demographic data for each child was gathered from the state billing system, the Central Billing and Information System (CBIS), downloaded to KEDS, and verified by POE staff across the state.

Data Platform Development

The Kentucky Early Childhood Data System (KEDS) was developed through the University of Kentucky and provides a web-based data platform for gathering demographic and assessment data from First Steps providers to support progress monitoring of performance on KY standards and OSEP child outcomes. Data analyses of assessments are based on two levels of detailed crosswalks conducted by publishers and early childhood experts within the state. First, specific items on each approved assessment instrument were aligned to the KY standards via benchmarks by the publisher for each assessment tool, then reviewed, revised and approved by state early childhood staff. Subsequently, each assessment instrument crosswalk was reviewed in detail by an expert panel (including assessment and child development expert representatives) to assure its alignment with KY benchmarks and standards, as well as the developmental continuum included for each benchmark. This process included cross-assessment analyses. Once that process was completed, the expert panel mapped individual items to benchmarks and the three OSEP outcomes, then age-anchored items and benchmarks. For age-anchors, the panel utilized each instrument's age intervals if available, other approved instrument age levels for similar items, and recommended behavioral sequences (Cohen and Gross, 1979) as guides. Item assignment to each benchmark was also investigated using extant literature on child development and developmental biology as well as expert opinion. Following these procedures, items were assigned to a three (3) month age band to determine "age-appropriate functioning." A second level crosswalk was then completed to correlate Kentucky's benchmarks and standards to the three OSEP child outcomes. The second level crosswalk was used to identify, by instrument, specific assessment items correlated to each benchmark and standard to allow for analyses of student progress on the OSEP outcomes. These items comprised the data platform for our analyses of child progress.

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Description of Data Set

Assessment data for enrolled children were included in analyses based on the following criteria: (a) the assessment instrument was one of the approved tools for progress monitoring, (b) two points of data were available for the child, and (c) adequate child identifying information (identification number, date of birth, date of assessments) was available so that the child could be linked with the assessment protocol.

Progress Data for FFY 2007 (2007-2008):

Table 1a. Data for EXITING children with progress data for 2007-2008: Outcome 1

A. Positive social-emotional skills (including social relationships):	2006 – 2007		2007 – 2008	
	# of children	% of children	# of children	% of children
a. Percent of infants and toddlers who did not improve functioning	17	47%	11	35.5%
b. Percent of infants and toddlers who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	16	45%	13	41.9%
c. Percent of infants and toddlers who improved functioning to a level nearer to same-aged peers but did not reach	3	8%	4	12.9%
d. Percent of infants and toddlers who improved functioning to reach a level comparable to same-aged peers			2	6.5%
e. Percent of infants and toddlers who maintained functioning at a level comparable to same-aged peers			1	3.2%
Total	N= 36	100%	N= 31	100%

Table 1b. Data for EXITING children with progress data for 2007-2008: Outcome 2

B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):	2006 – 2007		2007 – 2008	
	# of children	% of children	# of children	% of children
a. Percent of infants and toddlers who did not improve functioning	18	26%	19	24.7%
b. Percent of infants and toddlers who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	50	74%	50	64.9%
c. Percent of infants and toddlers who improved functioning to a level nearer to same-aged peers but did not reach			6	7.8%
d. Percent of infants and toddlers who improved functioning to reach a level comparable to same-aged peers			1	1.3%
e. Percent of infants and toddlers who maintained functioning at a level comparable to same-aged peers			1	1.3%
Total	N = 68	100%	N= 77	100%

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Table 1c. Data for EXITING children with progress data for 2007-2008: Outcome 3

C. Use of appropriate behaviors to meet their needs	2006 – 2007		2007 – 2008	
	# of children	% of children	# of children	% of children
a. Percent of infants and toddlers who did not improve functioning	39	57%	17	25.4
b. Percent of infants and toddlers who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	29	43%	41	61.2
c. Percent of infants and toddlers who improved functioning to a level nearer to same-aged peers but did not reach			7	10.4
d. Percent of infants and toddlers who improved functioning to reach a level comparable to same-aged peers			2	3.0
e. Percent of infants and toddlers who maintained functioning at a level comparable to same-aged peers			0	0
Total	N = 68	100%	N= 67	100%

Discussion of Baseline Progress Data:

Baseline Data and Targets will be provided with the FFY 2008 APR due February 1, 2010.

Data Analyses

Based on the first level crosswalk procedure, each child's scores on individual items were analyzed to determine age-appropriate functioning. Percentages for the number of items on which the child scored at age level were computed based on cumulative scores over time. Using a common metric (percentages), a difference score was computed between each data point for each child. Percentile analysis was utilized to determine child inclusion for each reporting category. Data analyses for the 5 levels of functioning were determined as follows:

- (a) *Infants and toddlers who did not improve functioning.* These were children who exhibited no change in item scores toward age functioning.
- (b) *Infants and toddlers who improved functioning but not sufficient to move nearer to same-aged peers.* These were children who exhibited any item gain and thus some improvement on their summed score and scored less than the 40 percentile compared to their same-aged peers.
- (c) *Infants and toddlers who improved functioning to a level nearer to same-aged peers, but did not reach same-aged peers.* These were children who improved functioning and whose score at exit was greater than 40% of same-aged peers, but less than 80%.
- (d) *Infants and toddlers who improved functioning to reach a level comparable to same-aged peers.* These were children who improved functioning and reached age-appropriate functioning, i.e. 80% of functioning level.
- (e) *Infants and toddlers who maintained functioning at a level comparable to same-aged peers.* These were children who maintained scores at or above the 80% based on age anchoring within the crosswalk document.

Kentucky has defined "comparable to same-aged peers" as 80% of functioning level. This is consistent with the 1.3 standard deviations recommended by the Early Childhood Outcome Center.

Analyses were conducted for all children from the above data set who were exiting EI. Exit data was obtained within 23.5 weeks of program discharge. Tables 1a, 1b, and 1c illustrate the results of the data analyses. It is not possible to draw valid conclusions from this data at this time. The N's are too small and consistent program policies and procedures for all children participating in the First Steps program were not in place until October 1, 2008.

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Analyses Plans for 2008-2009 reporting year

Kentucky's plan to collect and report data for this indicator will result in the ability to provide valid and reliable baseline data in the FFY 2008 APR, due February 1, 2010. In 08-09, the data set will increase significantly based on more systematic usage of the assessment system and online KEDS data system. All children enrolled on or after October 1, 2008 receive an entry, annual and exit assessment with an approved instrument. Since October 1, 2008, these data are being entered into the system.

Training

New policies for measuring child progress for all children were implemented in October 2008, with training for all Training and Technical Assistance Teams and POE staff and providers. All providers in the state were required to attend or document completion of training on one of the Cabinet-approved criterion referenced assessment instrument. In this calendar year, more than 20 instrument trainings have been conducted across the state with publisher-approved training materials. Manuals and protocols were provided to all participants at each training. Follow-up trainings will continue for new providers in 2009. In addition, on-site and video trainings have been held for orientation to the data collection system with KEDS online, and will continue to be held as needed. Frequent ongoing TA has been provided by EI and KEDS staff. Weekly newsletters were sent to all providers with updates on pertinent issues including assessment procedures.

Quality Assurance

Several procedures have been implemented to ensure the accuracy and completeness of assessment data. Data entry on KEDS online utilizes drop-down boxes with limited options as defined by each assessment, to reduce the possibility for erroneous entries (ex: only 0, 1, or 2 responses for AEPS items). Data were cleaned and analyzed by the Research Coordinator for KEDS. In addition, training for all providers on one of the approved instruments was mandated and all staff, providers or otherwise, who enter data into KEDS received training and support

References

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- Parks, S. (2006). *Inside HELP: Administration and Reference Manual for HELP*. Palo Alto, CA: VORT Corp.
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FFY	Measurable and Rigorous Target
2008 (2008-2009)	To be determined
2009 (2009-2010)	To be determined

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2010 (2010-2011)	To be determined
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Status of Improvement Activities/Timelines/Resources:

IMPROVEMENT ACTIVITY	TIMELINE	STATUS
1. Select approved criterion referenced assessment instruments	Spring, 2007	Originally 4 criterion referenced assessment instrument were approved for use. In the 2007-2008 year, that was reduced to 3 approved instruments. Those instruments are identified in the narrative.
2. Develop and conduct statewide training on the approved criterion referenced assessment instruments.	June, 2007 – June, 2008	Statewide training was completed for the majority of current system providers on September 30, 2008, with make-up trainings completed by December 31, 2008.
3. Develop and disseminate policies and procedures related to the administration and data entry of the criterion referenced assessment.	Winter, 2007/2008	Program policies and procedures related to a subset of children (children with established risk conditions) were developed and implemented on August 1, 2007. Policies and procedures for all children participating in the First Steps program were implemented on October 1, 2008.
4. Monitor compliance with policies and procedures related to the administration and data entry of the criterion referenced assessment; review and respond to progress data and collaborate in the development of implementation activities to address performance, priorities and concerns.	December, 2007 – June, 2011	As program staff work with Technical Assistance providers (NECTAC, MSRRC and NCSEAM) in the Spring of 2009 to restructure the monitoring system in Kentucky, this component will be included in that system.

Apart from providing an update on their status, no changes have been made to the Improvement Activities/Timelines/Resources.

Part C State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development: See *Overview of Kentucky's State Annual Performance Report Development Process*.

Monitoring Priority: Early Intervention Services In Natural Environments

Indicator 4: Percent of families participating in Part C who report that early intervention services have helped the family:

- A. Know their rights;**
- B. Effectively communicate their children's needs; and**
- C. Help their children develop and learn.**

(20 U.S.C. 1416(a)(3)(A) and 1442)

Measurement:

- A. Percent = [(# of respondent families participating in Part C who report that early intervention services have helped the family know their rights) divided by the (# of respondent families participating in Part C)] times 100.
- B. Percent = [(# of respondent families participating in Part C who report that early intervention services have helped the family effectively communicate their children's needs) divided by the (# of respondent families participating in Part C)] times 100.
- C. Percent = [(# of respondent families participating in Part C who report that early intervention services have helped the family help their children develop and learn) divided by the (# of respondent families participating in Part C)] times 100.

FFY	Measurable and Rigorous Target
2007 (2007-2008)	A. 83.2% B. 74.3% C. 89.6%
2008 (2008-2009)	A. 84.2% B. 75.3% C. 90.1%
2009 (2009-2010)	A. 85.2% B. 76.3% C. 90.6%
2010 (2010-2011)	A. 86.2% B. 77.3% C. 91.1%

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Actual Target Data for FFY 2008:

Use of the National Council for Special Education Accountability and Monitoring (NCSEAM) family survey was adopted during the Fall of 2005 process to create the State Performance Plan for Kentucky in order to fulfill the new requirements to provide data for Indicator 4. The survey for the current APR was conducted in June, 2008.

In February 2008, the December 1, 2007 child count was submitted to OSEP. It reported 4,237 children with IFSPs on December 1, 2007. A total of 4,237 surveys were mailed. Each family received both English and Spanish versions of the survey. This year budget constraints precluded Kentucky from doing a second mailing. However, the cover letter identified how to complete the survey online. A total of 552 paper surveys were returned, in addition to 59 online surveys, for a total of 611 with a response rate of 14.4%. Analysis was done to determine the representativeness of the returned surveys based on race given the racial distribution reported in the December 1, 2007 child count. Results are as follows:

Ethnic Group	Child Count	Percent of Total	Total Surveys Returned	Percent of Total
All Children	4237	100.0%	603 reported of 611 total	100.0%
American Indian/Alaska Native	25	0.6%	2	0.3%
Asian/Pacific Islander	60	1.4%	9	1.5%
Black/African-American	387	9.1%	28	4.6%
Hispanic/Latino	198	4.7%	16	2.7%
White	3567	84.2%	536	88.9%
Multi-Racial	N/A	N/A	28	4.6%

Table 1

In the FFY 2006 APR, it was determined that a random sampling of returned surveys was necessary to ensure the representativeness of the survey results. In the current year, the proportion of surveys returned is comparable to the racial distribution of Part C children in Kentucky, particularly when multi-racial children are taken into account (a category that is not allowed on the December 1, 2007 child count tables). Taking all ethnic and multi-racial children together, these surveys comprise 11.1% of total responses. In the state as a whole, these children make up only 15.8% of the Part C population. Given the proximity of these percentages to one another, and given the small number of returned surveys, it is neither feasible nor meaningful to try to sample within this group of returned surveys.

NCSEAM's survey consists of two Rasch scales. A Rasch scale is one in which several items are used which ask the respondent to indicate their level of agreement along a scale of very strongly disagree, strongly disagree, disagree, agree, strongly agree, or very strongly agree. Each item has been pretested by NCSEAM and is calibrated along a continuum such that some items are harder or easier than others to agree to. Testing has shown that agreement with an item at the top of the scale is likely to mean that the respondent also agreed with all the items below it. Items are asked in no particular order, but the calibration order is known, based on NCSEAM's pretesting. By using a standardized scale from a pretested item bank, our state scores can be compared with others using the scale. It also means that measures can be predicted. It is these predicted measures that are used in reporting the data for indicator 4.

The first step in presenting the data is to look at the scale in order of decreasing hardness of agreement to the items. In figure 1, each item in the Impact on the Family scale is presented in decreasing order of hardness, such that the bottom item, "do things with and for my child that are good for my child's development" was the most likely to be agreed with (the easiest) while the top item, "participate in typical activities for children and families in my community" was the least likely to be agreed with (the hardest). Kentucky's mean measure of 639 can be directly compared to the item calibrations to see where Kentucky "fits" regarding impact on the family. A mean of 639 is just above the item "keep up friendships for my child and family" which indicates that in Kentucky, around half of all respondents at least agree

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with that item and all those below it. There are two items above the mean, which is an area that Kentucky might consider targeting to increase family impact. Kentucky should target increasing family participation in community services and activities.

NCSEAM Part C Impact of Early Intervention on Your Family Scale

Item Calibration	Item
678	Participate in typical activities for children and families in my community.
656	Know about services in the community.
640	Know where to go for support to meet my family's needs.
625	Keep up friendships for my child and family.
609	Know where to go for support to meet my child's needs.
584	Be more effective in managing my child's behavior.
576	Make changes in family routines that will benefit my child with special needs.
576	Do activities that are good for my child even in times of stress.
570	Improve my family's quality of life.
565	Feel that I can get the services and supports that my child and family need.
563	Get the services that my child and family need.
562	Feel that my family will be accepted and welcomed in the community
559	Feel more confident in my skills as a parent.
559	Feel that my child will be accepted and welcomed in the community.
556	Communicate more effectively with the people who work with my child and family.
553	Understand how the Early Intervention system works.
546	Understand the roles of the people who work with my child and family.
539	Know about my child's and family's rights concerning Early Intervention services.
534	Be able to evaluate how much progress my child is making.
516	Understand my child's special needs.
498	Feel that my efforts are helping my child.
498	Do things with and for my child that are good for my child's development.

Figure 1

In order to answer the three Indicator 4 categories, it was necessary to establish a standard to apply to the Rasch analysis to determine what the minimum item would be acceptable by the stakeholders to indicate success in the category. NCSEAM had already conducted stakeholder meetings in the national sample and made recommended standards. A standard is not about agreement with the individual item. Rather, because of the consistency of the pattern of responses to items in the scale, agreement with the threshold item indicates agreement to all those below it as well. NCSEAM's recommended standards are shown by the lines drawn in figure 1. In other words, to know the percent of families participating in Part C who report early intervention services have helped the family know their rights (4A), we find in the Rasch analysis the percent of responses that are predicted by the model at item scores of 539 and lower. Of the 611 surveys returned, only 608 completed the portion of the survey which makes up the scale.

NCSEAM Report for SPP/APR Indicator 4A
Data Collected in 2006-07

Percent of families participating in Part C who report that early intervention services have helped the family know their rights.

83.2% (506/608)

Standard: A .95 likelihood of a response of “strongly agree” or “very strongly agree” with the item, “Over the past year, early intervention services helped me and/or my family know about my child’s and family’s rights concerning early intervention services.”

Measurement Reliability: .94
N of Valid Responses: 608
Statistics: M = 639, SD = 108, 95% CI = 579-698

NCSEAM Report for SPP/APR Indicator 4B
Data Collected in 2006-07

Percent of families participating in Part C who report that early intervention services have helped the family effectively communicate their children’s needs.

76.6% (466/608)

Standard: A .95 likelihood of a response of “strongly agree” or “very strongly agree” with the item, “Over the past year, early intervention services helped me and/or my family communicate more effectively with people who work with my child and my family.”

Measurement Reliability: .94
N of Valid Responses: 608
Statistics: M = 639, SD = 108, 95% CI = 579-698

NCSEAM Report for SPP/APR Indicator 4C
Data Collected in 2006-07

Percent of families participating in Part C who report that early intervention services have helped the family help their child develop and learn.

89.0% (541/608)

Standard: A .95 likelihood of a response of “strongly agree” or “very strongly agree” with the item, “Over the past year, early intervention services helped me and/or my family understand my child’s special needs”

Measurement Reliability: .94
N of Valid Responses: 608
Statistics: M = 639, SD = 108, 95% CI = 579-698

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Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:

IMPROVEMENT ACTIVITY	TIMELINE	STATUS
1. Family Orientation to First Steps DVD kit	Spring 2008	<p>Completed.</p> <p>With funding from KECTP 4000 DVDs were copied. DVDs were distributed to Technical Assistance Teams with dissemination instructions for sharing with families. The video is also available for viewing on the First Steps homepage. The Family Orientation gives a detailed description of what families should expect from the program including family rights, and transition information. The DVD informs families that they will be receiving a family survey and emphasizes the importance of completing the survey.</p> <p>Feedback for POEs indicated that they have developed regionally appropriate kits for families and that a Central Office mandated kit would not be able to provide local resources. It was concluded that the DVD and Parent guides could be distributed separately, while POEs continue to use locally developed kits.</p>
2. Develop training and implementation process for "Building a Strong Foundation for School Success: The Kentucky Early Childhood Standards Parent Guide for Children Birth to Three" for TA teams to better assist providers in its use.	July 2007 – June 2008	<p>Completed.</p> <p>Training development and implementation <i>process</i> were completed within the timeline listed here.</p> <p>Through the collaborative efforts of the Kentucky Early Childhood Transition Project (KECTP), Kentucky Department of Education (KDE), Part B Regional Training Centers (RTC) and First Steps, regional training sessions will be offered over a two year period. Contact hours will be offered to First Steps service providers. Training will support provider understanding of the Parent Guide for Children Birth to Three and will assist providers in maximizing the family's role in the intervention and development process.</p>

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3. Explore production and dissemination of the Step by Step guide to Transition and the DVD.	July 2007 – June 2008	Completed. 5000 copies of the Step by Step guide were reproduced and delivered to each Point of Entry (POE) so service coordinators can share with families and providers.
4. Explore using CBIS to send a letter reminding families that the Part C to Part B transition process should have begun and provide information to access the Step by Step guide to Transition in order to help families know their rights, effectively communicate their children's needs and to help their children develop and learn.	January 2008	Completed. UPDATE February, 2009: Although a letter was drafted, a parent mailing was not completed until January, 2009.
5. Add a page to the CBIS website for families to access information regarding rights, support, and information on early intervention and resources.	July 2007 – June 2008	Completed. Family links are included on the CBIS website They provide transition and family rights information.
6. Monitor the implementation of Improvement Activities and future family satisfaction survey findings on an ongoing basis and adjust Improvement Activities accordingly.	July 2007 – June 2011	First Steps has contracted with a new data provider, ending the contract with CBIS for managing the family survey. As a result of this change the family survey will be administered through the Central Office. Activities will be reviewed and monitored by the Quality Assurance Administrator going forward.
7. Convene a stakeholder workgroup, including the Parent Consultant members of the Technical Assistance Teams, to explore strategies to enhance families' knowledge of and participation in community services and activities.	March 2008 – June 2009	In October 2008 a parent stakeholder group was convened. The initial work of the group focused on identifying barriers to completing the current family survey and assessing the effectiveness of the current survey. That workgroup will continue the work of exploring strategies to enhance families' knowledge of and participation in community services and activities in the Spring, 2009.
8. Convene a stakeholder workgroup, including the Parent Consultant members of the Technical Assistance Teams, to explore strategies to increase the return rate on the parent survey.	March 2008 – June 2009	Completed. In October 2008 a stakeholder group was convened to consider strategies for improving the return rate on the parent survey. Feedback from the group indicated that the current family survey is too long and time consuming. Feedback also indicated

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		that parents of children with disabilities are inundated with surveys, so the First Steps survey needs to be concise and needs to be given to families in such a way as to motivate them to complete the survey.
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Explanation of Progress or Slippage that Occurred for FFY 2007:

Kentucky's FFY 2007 performance on Indicators 4A, 4B and 4C slipped slightly from FFY 2006 to FFY 2007. While Kentucky met its state target for Indicator 4A and 4B, it has failed to meet the state targets set for Indicator 4C as follows:

FFY 2006 4A: 85.5%

FFY 2007 4A: 83.2% Target: 83.2%

FFY 2006 4B: 81.1%

FFY 2007 4B: 76.6% Target: 74.3%

FFY 2006 4C: 92.0%

FFY 2007 4C: 89.0% Target: 89.6%

Kentucky continues to struggle with helping parents help their children develop and learn (Indicator 4C). Performance related to this Indicator has slipped both from FFY 2005 to FFY 2006 and from FFY 2006 to FFY 2007. Kentucky has discussed this issue with both the APR workgroup as well as the parent stakeholder group that was convened in October 2008. It is felt that helping providers to better understand their role in helping families understand their child's development will impact performance on this Indicator.

As indicated in Improvement Activity #2 above, training on use of the Parent Guide for Children Birth to Three has been developed. Regional training sessions will be offered over a two year period beginning in 2009. Fourteen trainers have been identified to conduct training on Kentucky's early childhood standards. Contact hours will be offered to First Steps service providers. Training will support provider understanding of the Parent Guide for Children Birth to Three and will assist providers in helping families understand their child's development and maximizing the family's role in the intervention and learning process.

To impact Indicators 4A and 4B, Kentucky is widely disseminating the Parent Orientation DVD, as described under Improvement Activity #1. This activity was completed early last calendar year and it has taken some time to orient service coordinators to its use.

Kentucky also continues to struggle with the return rate on the survey. Based on feedback from the parent stakeholder group as well as discussion with the APR workgroup and the state ICC, Kentucky has made the decision to transition from the NCSEAM Family Survey to the ECO Family Survey. Kentucky Part C is currently preparing for distribution of the ECO Family Survey in the Spring, 2009.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007

9. Reconvene the parent stakeholder workgroup, including the Parent Consultant members of the Technical Assistance Teams, to provide Central Office with recommendations on how to implement strategies to increase the return rate on the parent survey including; utilization of the ECO Family Survey, close Central Office oversight of the	March 2009 – June 2010	Justification: In October 2008 a stakeholder group was convened to consider strategies for improving Kentucky's Indicator 4 outcomes. The group considered the current survey process and offered suggestions for improving the rate of return. The group also considered whether the current survey produced information that
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survey process, and sharing survey results with stakeholders.		<p>could be used to make program improvements. Several recommendations were made. It is necessary for this group to reconvene in order to provide Central Office with additional feedback regarding the family survey process and strategies for enhancement.</p> <p>Resources: TAT Parent Consultants, SPP/APR Workgroup</p>
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Part C State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development: see *Overview of Kentucky's State Annual Performance Report Development Process*.

Monitoring Priority: Effective General Supervision Part C/Child Find

Indicator 5: Percent of infants and toddlers birth to 1 with IFSPs compared to:

- A. Other States with similar eligibility definitions; and
- B. National data.

(20 U.S.C. 1416(a)(3)(B) and 1442

Measurement:

- A. Percent = [(# of infants and toddlers birth to 1 with IFSPs) divided by the (population of infants and toddlers birth to 1)] times 100 compared to the same percent calculated for other States with similar (narrow, moderate or broad) eligibility definitions.
- B. Percent = [(# of infants and toddlers birth to 1 with IFSPs) divided by the (population of infants and toddlers birth to 1)] times 100 compared to National data.

FFY	Measurable and Rigorous Target
2007 (2007 – 2008)	.66% of infants and toddlers aged birth to 1 in Kentucky will have IFSPs.
2008 (2008 – 2009)	.76% of infants and toddlers aged birth to 1 in Kentucky will have IFSPs.
2009 (2009 – 2010)	.86% of infants and toddlers aged birth to 1 in Kentucky will have IFSPs.
2010 (2010 – 2011)	.96% of infants and toddlers aged birth to 1 in Kentucky will have IFSPs.

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Actual Target Data for FFY 2007:

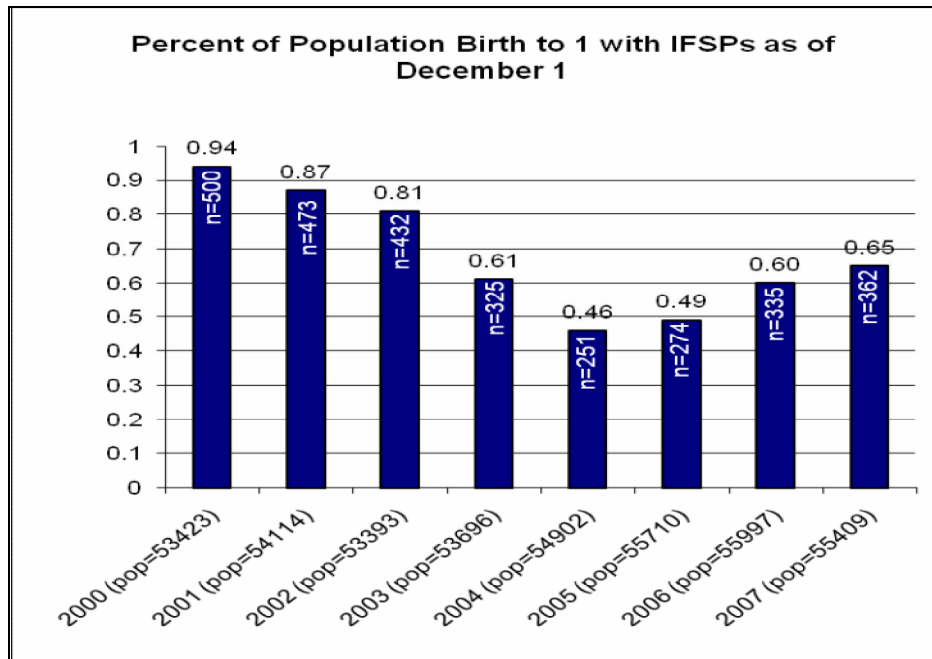


Figure 1

Kentucky's Birth to 1 Participation Rate grew in FFY 2007 from 0.60% to 0.65%.

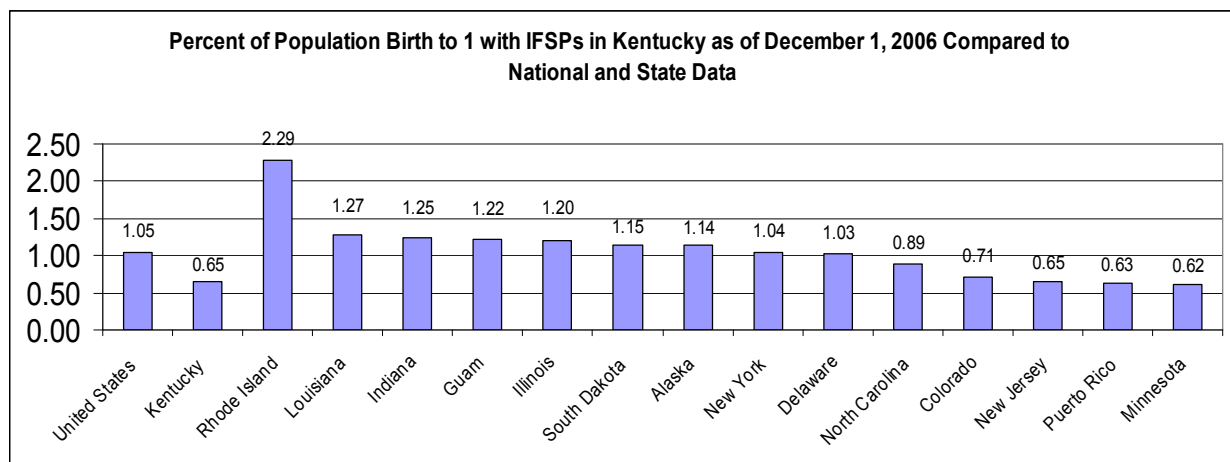


Figure 2

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Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

IMPROVEMENT ACTIVITY	TIMELINE	STATUS
1. Revise and renew the memorandum of agreement with Head Start/Early Head Start which addresses mutual referral policies.	Spring 2008 Spring 2009	The Kentucky State Transition Team has met to review its Statewide Interagency Transition Agreement. It is agreed that the Statewide Interagency Transition Agreement meets the need we have identified here for an Interagency Agreement with Head Start/Early Head Start. The conveners of the State Interagency Transition Team met in October and November, 2008 to begin the process of reconvening the Statewide team to update the Statewide Interagency Transition Agreement, which has not been updated since 2005. That work continued following the OSEP Data Verification Visit in December, 2008. Accordingly, this timeline has been extended (see below).
2. Meet with Neonatal Follow-up programs and discuss strategies to increase referrals from those programs.	January 2006	Completed. Meetings between Central Office Administration and the Neonatal Follow-up program administrators occurred and continue. Training was provided in 2006 targeting services to medically fragile premature infants.
3. Train Point of Entry Staff on the importance of early identification and enrollment in First Steps and identify strategies to improve identification Birth – 1 for each individual Point of Entry site.	February 2006	Completed. Met with POE staff in January, 2006 to discuss program participation rates and performance contracting for FY08. Update February 2009: Point of Entry contracts included performance standards beginning in July, 2007 (FY08). A performance standard was included regarding Birth – 1 program participation. This standard was associated with an incentive payment for exemplary performance.
4. Target child find visits to educate Kentucky Pediatricians about the eligibility requirements for First Steps and the referral process.	July 2006 – June 2007	Completed. While this particular improvement activity is complete, Kentucky recognizes the need to continue to collaborate with

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		pediatricians and other pediatric sub-specialists on an ongoing basis to assure continued identification of infants and toddlers with disabilities or developmental delays.
5. Develop a communication & referral process for newborns identified by the Expanded Newborn Metabolic Screening Program and the Kentucky Birth Surveillance Registry (KBSR) in Kentucky.	July 2006 – June 2009	A State System Development Initiative (SSDI) grant was awarded in December, 2007. This 5 year grant will support the development of an automated referral process for newborns identified by the Expanded Newborn Metabolic Screening Program and the KBSR. It is anticipated that the First Steps program will begin working with the KBSR development team in the Spring to early Summer of 2009.
6. Increase child find efforts in foster care settings.	July 2007 – June 2008	<p>First Steps staff worked with representatives from the foster care system to develop a training for foster care workers on the appropriate and timely identification of infants and toddlers with disabilities or developmental delays. The training is being finalized and is anticipated to be implemented in Spring, 2008.</p> <p>Update February 2009: A form was developed to assist Foster Care program workers in referring children to First Steps. The training, which focuses on <i>resiliency</i> has been finalized and is available for Foster Care workers throughout the state.</p>
7. Increase child find efforts in Family Resource Centers and with Early Childhood Councils.	July 2007 – June 2008	First Steps Central Office has renewed its contract with the Kentucky Early Childhood Transition Project (KECTP) to assist in building collaborative relationships at the District level. Part of this work involves bringing Family Resource Centers and Early Childhood Councils, as well as other local partners, to the table to learn about First Steps and be better able to identify children who may be eligible for First Steps and serve children when they leave First Steps.

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<p>8. Improve the communication & referral process for newborns identified by the Kentucky Universal Newborn Hearing Screening Program (UNHS) in Kentucky.</p>	<p>July 2006 – June 2007</p>	<p>Completed. In follow-up to collaborative meetings between First Steps Central Office and the Commission for Children with Special Health Care Needs (CCSHCN), diagnostic audiologists and Early Hearing Detection and Intervention (EHDI) staff refer all children with a confirmed diagnosis of a permanent childhood hearing loss to First Steps. First Steps and CCSHCN staff are currently working on an interagency agreement that will facilitate data sharing to assure timely identification and appropriate service provision.</p> <p>Update February 2009: A conference call was held in November, 2008 with OSEP and its Office of General Counsel to discuss the legalities involved in data sharing efforts between state partners. The First Steps program and the Commission (CCSHCN) continue to work toward an agreeable Interagency agreement based on the feedback from the November call with OSEP.</p>
<p>9. Investigate establishment of eligibility pathways for children with the following conditions: medically fragile, social communication delay/ autism spectrum, deaf/blind, and extreme prematurity.</p>	<p>July 2007 – June 2008</p>	<p>Completed. The Evaluation Subcommittee of the state ICC investigated this strategy and recommended that First Steps Central Office not pursue this at this time.</p>
<p>10. Investigate the possibility of a seven domain rather than a five domain system for eligibility as this will likely result in greater eligibility for the areas of motor and communication delays.</p>	<p>July 2007 – June 2009</p>	<p>The Evaluation Subcommittee of the state ICC investigated this strategy and recommended that First Steps Central Office not pursue this at this time. However, additional information received from a Primary Level Evaluator (PLE) survey suggests that we further consider this strategy.</p> <p>Update February 2009: Central Office is continuing to investigate the impact this will have on the system. It appears that while other states do not specifically say they are using a seven domain evaluation, sub-domains (i.e. gross and fine motor,</p>

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		expressive and receptive language) are considered. Central Office is still investigating whether consideration of sub-domains should be used in evaluation for eligibility determination.
11. Investigate repeating the epidemiology study done in 1995 in Kentucky to predict the estimated incidence of developmental delay in the state.	July 2008 – June 2009	First Steps Central Office is continuing to discuss mechanisms for completing this task, including, but not limited to, utilizing social service interns assigned to the Department at various times during the year.
12. Support Child Find efforts in the local districts (DEICs and POEs) with lead agency providing training to the TATs who will in turn provide support to local community.	January 2007 – June 2011	First Steps Central Office staff review program data with the TATs as well as the Points of Entry on a regular basis so that they are aware of program participation rates and can identify and address issues as problematic performance trends are observed.
13. Review our established risk list yearly to ensure pertinent conditions are included that have a high probability of significant delay.	January 2007 – June 2010 June 2011	While the established risk list is reviewed regularly, changes have not been made to date because the list is in regulation and changes are difficult to make. First Steps Central Office staff are working to remove the established risk list from regulation so that it may be more flexible. In the meantime, children with conditions that have a high probability of significant delay, but are not on the established risk list, and who are not eligible by virtue of developmental delay, may be reviewed by an expert panel in order to assist with eligibility determination. (Timeline extended) Update February 2009: First Steps is unable to take the established risk list out of regulation. However, the list can be added to via the First Steps website.
14. Review child screening procedures and revise those found to be a deterrent to children entering the system.	April 2007 – June 2008	Completed. In response to stakeholder feedback, administration of the Developmental Observation Checklist System by Initial Service Coordinators was

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		discontinued in August, 2007. Update February 2009: The First Steps Program is investigating the development of screening procedures using a different screening instrument in order to try to reduce the number of children referred, but found ineligible.
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Explanation of Progress or Slippage that Occurred for FFY 2007:

Kentucky's Birth to 1 Participation Rate steadily declined between 2000 and 2004. Beginning in 2004, program changes were enacted to reduce barriers to identification of children under age one. Kentucky believes these changes contributed to the Participation Rate increase seen from 2004 to 2006. In 2007 additional program changes were enacted to increase the Birth to 1 Participation Rate and Kentucky believes that these changes have contributed to the increase seen in Figure 1 – from 0.60% in 2006 to 0.65% in 2007. Despite its progress, Kentucky has failed to meet the target for FFY 2007 of 0.66% set by the state.

Though unable to reach its target of 0.66%, Kentucky is pleased that the program has demonstrated growth for the third consecutive year. Kentucky attributes this growth to a number of factors:

- In July, 2007, Kentucky funded administrative structures at the Point of Entry (POE) and assigned responsibility for Child Find activities to the POE Manager;
- In July, 2007, Kentucky implemented a system of performance contracting with the Points of Entry which provided incentive payments for meeting or exceeding the State target of 0.66%;
- In the Spring of 2008 the First Steps program developed a Public Awareness Campaign, which included a statewide-run Public Service Announcement;
- Points of Entry serving counties that border other states extended outreach efforts to the major birthing hospitals that generate First Steps referrals (i.e. Nashville, Cincinnati); and
- Points of Entry and state contractors have increased outreach efforts to Foster Care agencies, encouraging early identification of children in foster care.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007:

IMPROVEMENT ACTIVITY	TIMELINE	JUSTIFICATION/RESOURCES
1. Revise and renew the memorandum of agreement with Head Start/Early Head Start which addresses mutual referral policies.	Spring 2008 Spring 2009	Justification: The timeline was extended in the FFY 2006 APR. However, since that time the Kentucky State Transition Team has met to review its Statewide Interagency Transition Agreement. It is agreed that the Statewide Interagency Transition Agreement meets the need we have identified here for an Interagency Agreement with Head Start/Early Head

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		<p>Start. The conveners of the State Interagency Transition Team met in October and November, 2008 to begin the process of reconvening the Statewide team to update the Statewide Interagency Transition Agreement, which has not been updated since 2005. That work continued following the OSEP Data Verification Visit in December, 2008. Accordingly, this timeline has been extended.</p> <p>Resources: Central Office staff, MSRRC staff</p>
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Part C State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development: see *Overview of Kentucky's State Annual Performance Report Development Process*.

Monitoring Priority: Effective General Supervision Part C/Child Find

Indicator 6: Percent of infants and toddlers birth to three with IFSPs compared to:

- A. Other States with similar eligibility definitions; and
- B. National data.

(20 U.S.C. 1416(a)(3)(B) and 1442

Measurement:

- A. Percent = [(# of infants and toddlers birth to 3 with IFSPs) divided by the (population of infants and toddlers birth to 1)] times 100 compared to the same percent calculated for other States with similar (narrow, moderate or broad) eligibility definitions.
- B. Percent = [(# of infants and toddlers birth to 3 with IFSPs) divided by the (population of infants and toddlers birth to 1)] times 100 compared to National data.

FFY	Measurable and Rigorous Target
2007 (2007 – 2008)	2.45% of infants and toddlers aged birth to 1 in Kentucky will have IFSPs.
2008 (2008 – 2009)	2.50% of infants and toddlers aged birth to 1 in Kentucky will have IFSPs.
2009 (2009 – 2010)	2.55% of infants and toddlers aged birth to 1 in Kentucky will have IFSPs.
2010 (2010 – 2011)	2.60% of infants and toddlers aged birth to 1 in Kentucky will have IFSPs.

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Actual Target Data for FFY 2007:

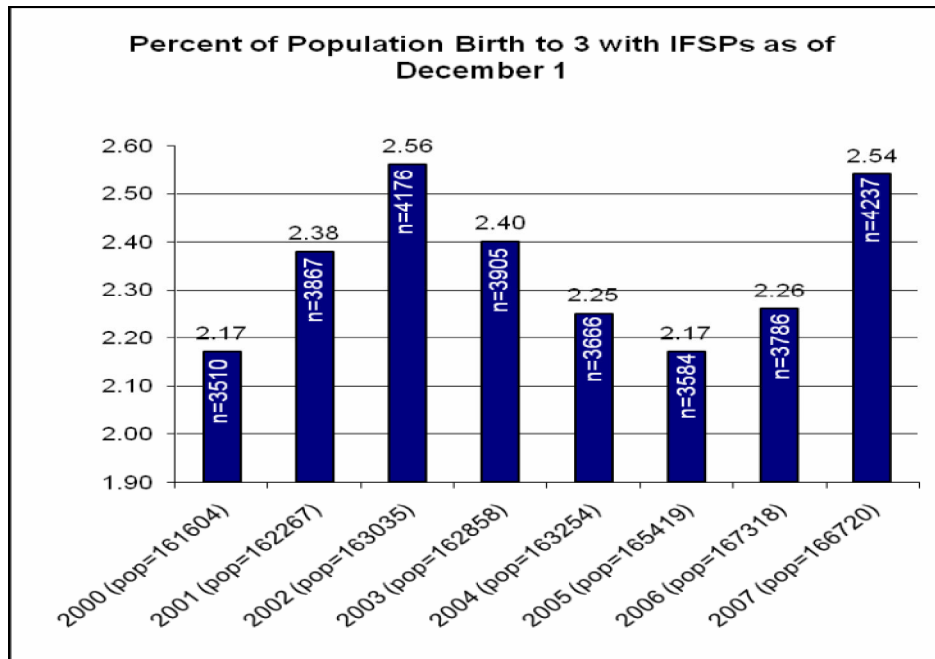


Figure 1

The participation rate increased from 2.26 in 2006 to 2.54 in 2007, exceeding the state target of 2.45 for FFY 2007 as well as the state target for FFY 2008 of 2.50.

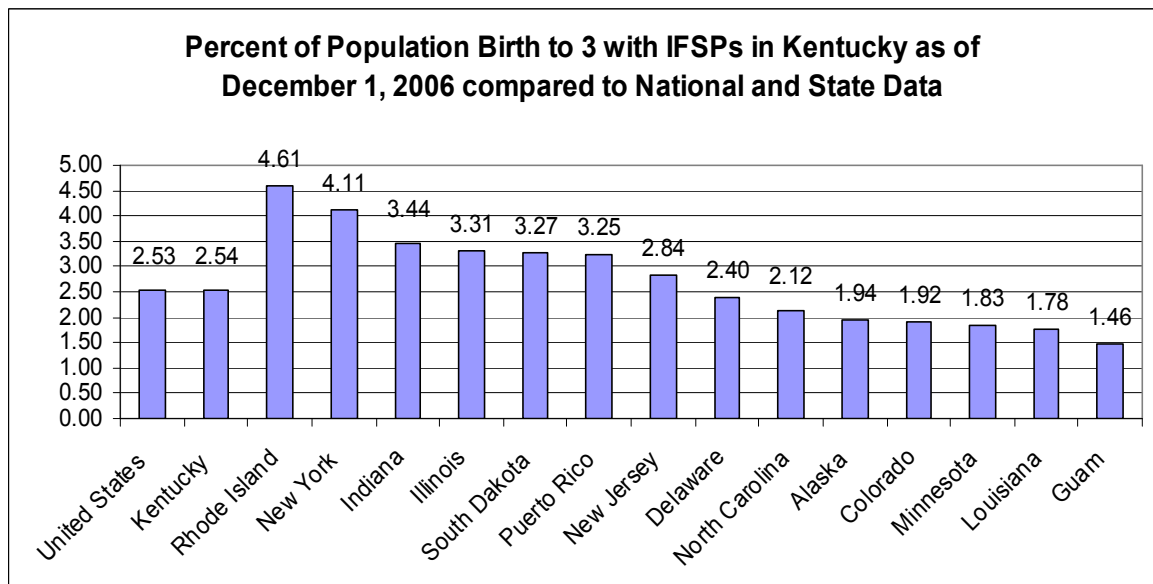


Figure 2

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Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

IMPROVEMENT ACTIVITY	TIMELINE	STATUS
1. Ensure that all interagency partners are involved in child find as reported by the Kentucky Early Childhood Transition Project (KECTP).	July 2006 – June 2007	<p>Completed. A State Interagency Transition Team is convened by the Kentucky Department of Education on a quarterly basis. This team is comprised of partners at the state level responsible for Child Find or who participate in Child Find, including Education, Head Start/Early Head Start, Child Care and Foster Care.</p> <p>Update February 2009: The State Interagency Transition Team has continued to meet and will be reconvening in early (calendar year) 2009 to review and revise the Interagency Transition Agreement.</p>
2. Expand strategies used in birth to 1 to the birth to 3 populations. Those include child find in foster care, family resource centers, Head Start/Early Head Start, with pediatricians and with Early Childhood Councils in Kentucky.	July 2006 – June 2007	Completed. See Status of Indicator 5, Improvement Activities 4, 6 and 7.
3. Investigate establishment of eligibility pathways for children with the following conditions: medically fragile, social communication delay/autism spectrum, deaf/blind, and extreme prematurity.	July 2006 – June 2007	Completed. The Evaluation Subcommittee of the state ICC investigated this strategy and recommended that First Steps Central Office not pursue this at this time.
4. Investigate obtaining data from Part B on eligible 3 and 4 year olds who did not participate in Part C to identify potential gaps in child find for Part C.	July 2006 – June 2007	Completed. Data obtained in December, 2007. First Steps Central Office is working with Part B Program staff and the SPP/APR workgroup to analyze the data and determine next steps.

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IMPROVEMENT ACTIVITY	TIMELINE	STATUS
5. Investigate the possibility of a seven domain rather than a five domain system for eligibility as this will likely result in greater eligibility for the areas of motor and communication delays.	July 2007 – June 2009	<p>The Evaluation Subcommittee of the state ICC investigated this strategy and recommended that First Steps Central Office not pursue this at this time. However, additional information received from a Primary Level Evaluator (PLE) survey suggests that we further consider this strategy.</p> <p>UPDATE February 2009: Central Office is continuing to investigate the impact this will have on the system. It appears that while other states do not specifically say they are using a seven domain evaluation, sub-domains (i.e. gross and fine motor, expressive and receptive language) are considered. Central Office is still investigating whether consideration of sub-domains should be used in evaluation for eligibility determination.</p>
6. Investigate repeating the epidemiology study done in 1995 in Kentucky to predict the estimated incidence of developmental delay in the state.	July 2008 – June 2009	First Steps Central Office is continuing to discuss mechanisms for completing this task, including, but not limited to, utilizing social service interns assigned to the Department at various times during the year.
7. Support Child find efforts in the local districts (DEICs and POEs) with Lead Agency providing training to the TATs who will in turn provide support to local communities.	January 2007 – June 2011	First Steps Central Office staff review program data with the TATs as well as the Points of Entry on a regular basis so that they are aware of program participation rates and can identify and address issues as problematic performance trends are observed.

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<p>8. Review our established risk list yearly to ensure pertinent conditions are included that have a high probability of significant delay.</p>	<p>January 2007 – June 2011</p>	<p>While the established risk is reviewed regularly, changes have not been made to date because the list is in regulation and changes are difficult to make. First Steps Central Office staff are working to remove the established risk list from regulation so that it may be more flexible. In the meantime, children with conditions that have a high probability of significant delay, but are not on the established risk list, and who are not eligible by virtue of developmental delay, may be reviewed by an expert panel in order to assist with eligibility determination.</p> <p>UPDATE February 2009: First Steps is unable to take the established risk list out of regulation. However, the list can be added to via the First Steps website.</p>
<p>9. Review child screening procedures and revise those found to be a deterrent to children entering the system.</p>	<p>April 2007 – June 2008</p>	<p>Completed. In response to stakeholder feedback, administration of the Developmental Observation Checklist System by Initial Service Coordinators was discontinued in August, 2007.</p> <p>UPDATE February 2009: The First Steps Program is investigating the development of screening procedures using a different screening instrument in order to try to reduce the number of children referred, but found ineligible.</p>
<p>10. Ensure that POE are appropriately staffed to accommodate increase Child Find referral rates.</p>	<p>July 2007 – June 2010</p>	<p>Completed. Beginning July 1, 2007, Kentucky implemented a system of performance contracting with the district Points of Entry. POEs were funded to employ a minimum number of staff and, beginning January 1,</p>

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		2008 received financial penalties on a quarterly basis for failure to meet minimum staffing levels.
11. Work with KDE, Part B 619 to analyze the data regarding children in Part B who did not receive First Steps services collected in December, 2007 and that will be collected in December, 2008. Use that analysis to plan for needed technical assistance, changes in policy and regulation, coordinated Child Find efforts.	December 2007 – June 2010	KDE (Kentucky Department of Education) has data for the 06-07 and 07-08 school years. KDE has used this information while exploring the issue of overidentification in the preschool program. KDE has made changes to regulation; and the First Steps program and KDE have provided collaborative training and technical assistance regarding the regulations changes, which impact the referral and evaluation process for preschool (transition from Part C). Kentucky First Steps and KDE continue to collaborate on efforts to assure the timely and appropriate identification of all eligible children in Kentucky.

Explanation of Progress or Slippage that Occurred for FFY 2007:

Kentucky's Birth to 3 Participation Rate grew in FFY 2007 from 2.26% to 2.54%. As a result, Kentucky exceeded the State target for FFY 2007 of 2.45% as well as the state target for FFY 2008 of 2.50%. Kentucky attributes this growth to a number of factors:

- In July, 2007, Kentucky funded administrative structures at the Point of Entry (POE) and assigned responsibility for Child Find activities to the POE Manager;
- In July, 2007, Kentucky implemented a system of performance contracting with the Points of Entry which provided incentive payments for meeting or exceeding the State target of 0.66%. While this was specifically targeted at B – 1 Participation Rates, efforts to maintain and/or improve performance appear to have rolled over to the B – 3 Participation Rate;
- In the Spring of 2008 the First Steps program developed a Public Awareness Campaign, which included a statewide-run Public Service Announcement;
- Points of Entry serving counties that border other states extended outreach efforts to the major birthing hospitals that generate First Steps referrals (i.e. Nashville, Cincinnati);
- Points of Entry and state contractors have increased outreach efforts to Foster Care agencies, encouraging early identification of children in foster care; and
- In accordance with AAP guidelines, Kentucky pediatricians are actively screening for Autism at regular intervals, which Points of Entry report to be increasing referrals to First Steps.

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Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007:

Kentucky is not making any revisions to proposed Targets/Improvement Activities/Timelines/Resources for FFY 2007.

Part C State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development: see *Overview of Kentucky's State Annual Performance Report Development Process*.

Monitoring Priority: EFFECTIVE GENERAL SUPERVISION PART C / CHILD FIND

Indicator 7: Percent of eligible infants and toddlers with IFSP's for whom an evaluation and assessment and an initial IFSP meeting were conducted within Part C's 45-day timeline. (20 USC 1416(a) (3) (B) and 1442)

Measurement: Percent = # of eligible infants and toddlers with IFSP's for whom an evaluation and assessment and an initial IFSP meeting was conducted within Part C's 45-day timeline divided by # of eligible infants and toddlers evaluated and assessed times 100. Account for untimely evaluations.

FFY	Measurable and Rigorous Target
2007 (2007-2008)	100% of eligible infants and toddlers in Kentucky will have evaluation, assessment and an initial IFSP meeting conducted within Part C's 45-day timeline.
2008 (2008-2009)	100% of eligible infants and toddlers in Kentucky will have evaluation, assessment and an initial IFSP meeting conducted within Part C's 45-day timeline.
2009 (2009-2010)	100% of eligible infants and toddlers in Kentucky will have evaluation, assessment and an initial IFSP meeting conducted within Part C's 45-day timeline.
2010 (2010-2011)	100% of eligible infants and toddlers in Kentucky will have evaluation, assessment and an initial IFSP meeting conducted within Part C's 45-day timeline.

Response to Kentucky Part C FFY 2006 SPP/APR Response Table

Kentucky's Part C FFY 2006 SPP/APR Response Table required the State to demonstrate full compliance with the 45-day timeline requirements in 34 CFR 303.321(e)(2), 303.322(e)(1) and 303.342(a), including correction of noncompliance identified in FFY 2005 and any remaining noncompliance from FFY 2004. The FFY 2006 APR reported 92.5% compliance with Indicator 7. The FFY 2007 APR herein reports 95.4% compliance. In FFY 2006, Kentucky began reporting findings according to the definition provided by OSEP. Findings of noncompliance were reported by EIS program rather than by individual provider as they had been in the past. In FFY 2007, Kentucky reviewed all EIS programs again to assess compliance with Indicator 7. No program had achieved full compliance. Therefore, Kentucky is unable to demonstrate correction of the noncompliance identified in FFY 2006. Further, Kentucky is unable to demonstrate that the uncorrected noncompliance from FFY 2004 was corrected.

Kentucky's current monitoring system is unable to efficiently or effectively assist the state in determining timely correction of noncompliance. Kentucky believes this to be a critical program need. As was indicated previously, Kentucky is working with its TA partners (DAC, MSRRRC and NECTAC) to redesign

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its monitoring system as it restructures its system of General Supervision. Kentucky will assure that the new system design is able to effectively and efficiently address the timely correction of noncompliance.

Actual Target Data for FFY 2007:

FFY	Percent of Timely IFSPs or Having Family-Driven Delay
2002 (n=3795)	34% (n=1274)
2003 (n=3806)	40% (n=1506)
2004 (n=3373)	36% (n=1199)
2005 (n=3890)	61% (n=2362)
2006 (n=4108)	93% (n=3799)
2007 (n= 4905)	96% (n=4730)

Figure 1

The percentage of children who had a timely IFSPs between July 1, 2007 and June 30, 2008 in Kentucky was 96% (Figure 1). This data shows that Kentucky continues to make strides toward reaching the required 100% compliance on this indicator.

Kentucky has continued to require Initial Service Coordinators to report the reason for any delay in meeting the 45-day timeline. While the percentage of family driven delays has slightly increased over the last year, from 20.8% in FFY 2006 to 21.8% in FFY 2007, we have seen a substantial decrease in the number of provider driven delays, from 7.5% in FFY 2006 to 3.6% in FFY 2007 (Figure 2).

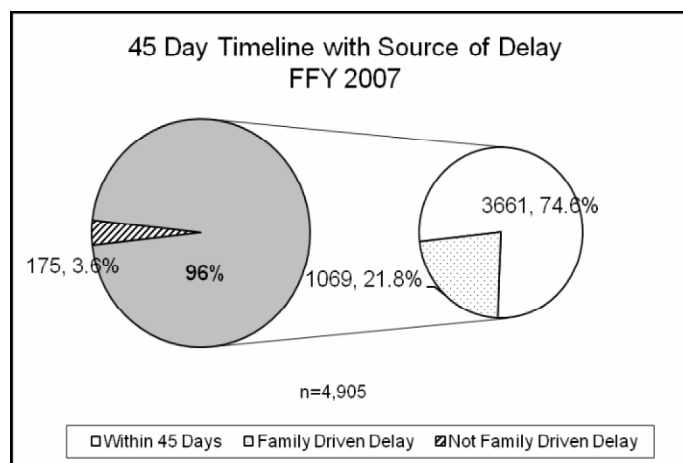


Figure 2

Data regarding the 45-day timeline is further broken down by the fifteen (15) EIS programs in Kentucky. Figures 3 and 4 show that a number of districts have reached 100% compliance with meeting the 45-day timeline.

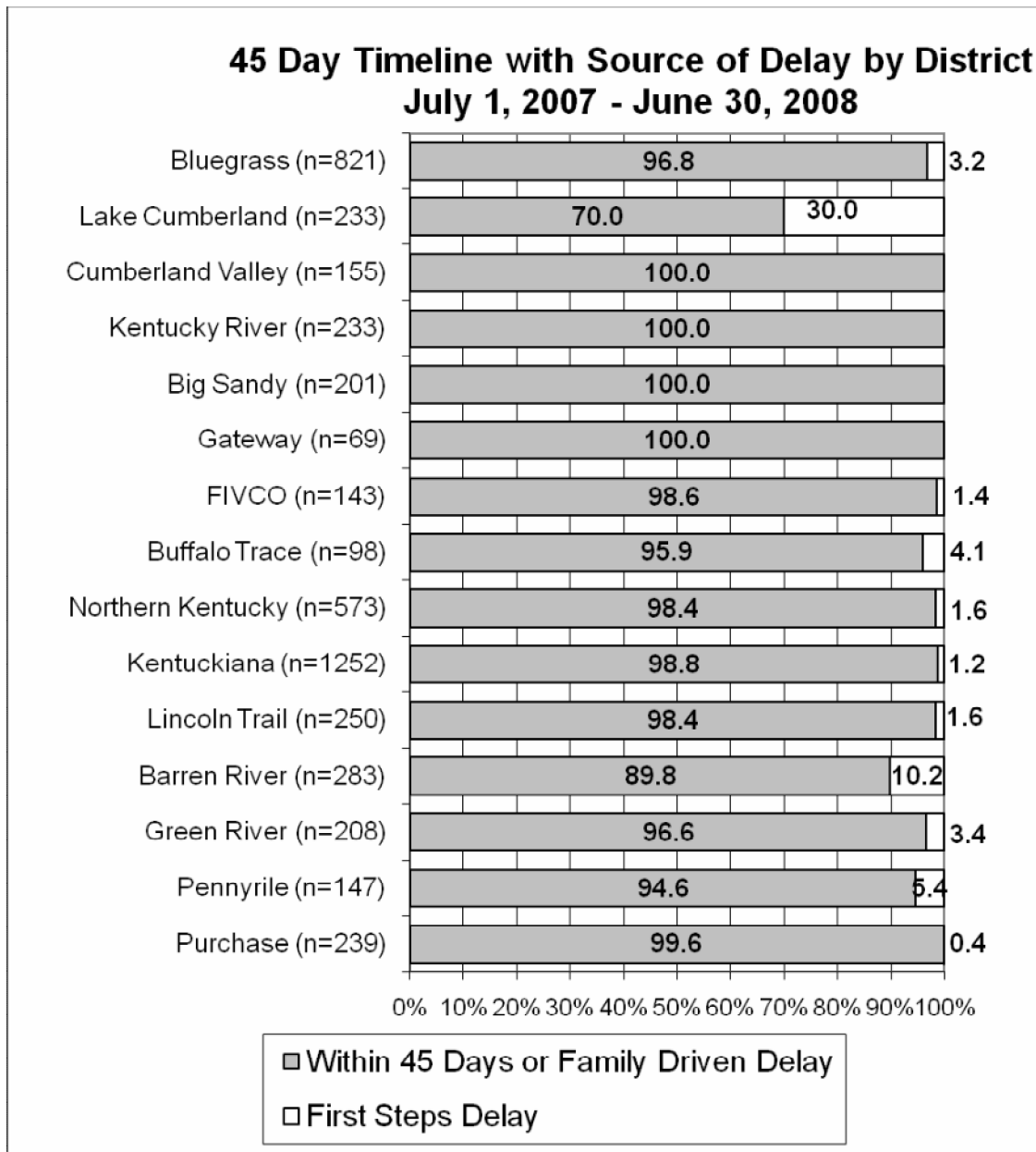


Figure 3

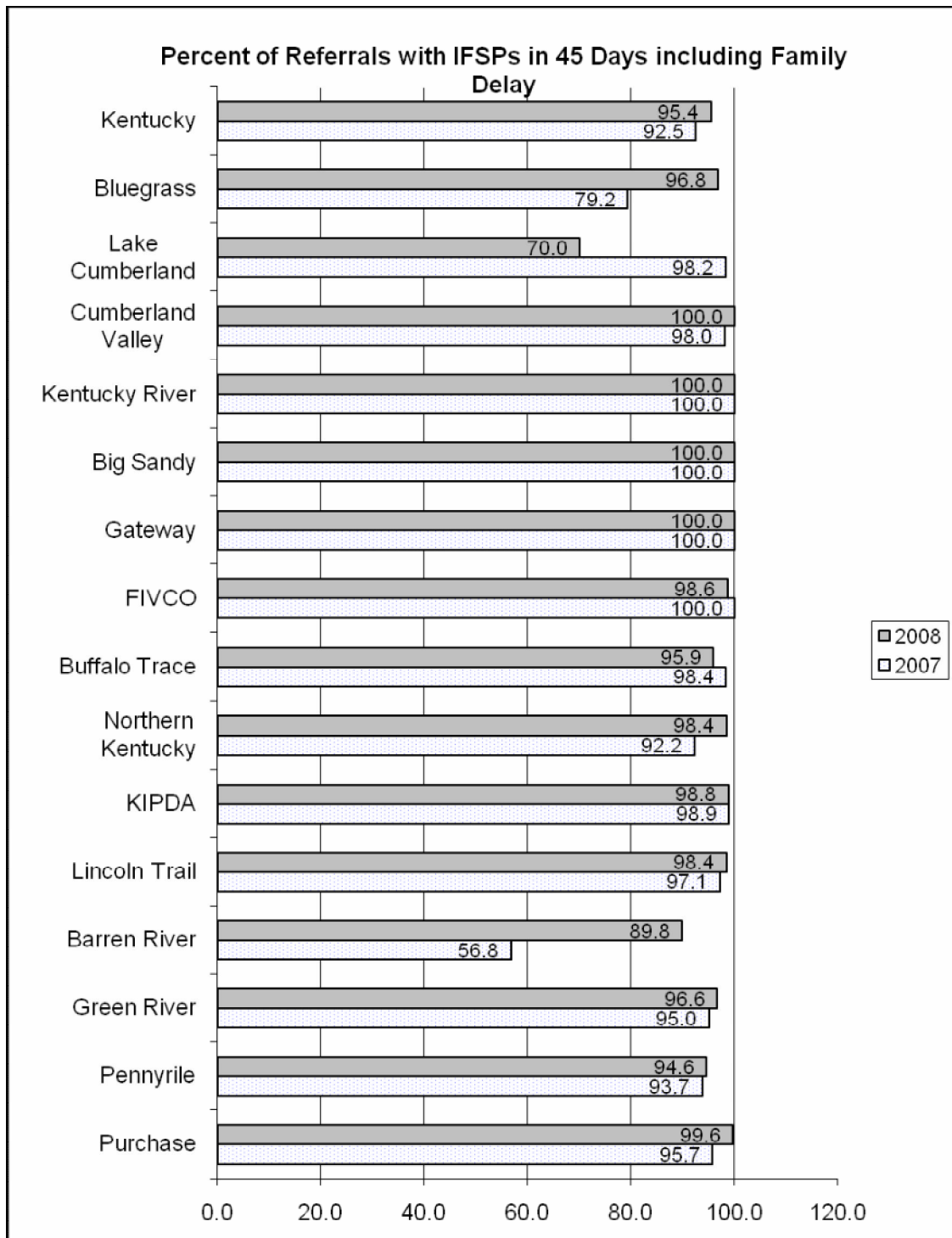


Figure 4

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Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

IMPROVEMENT ACTIVITY	TIMELINE	STATUS
1. When there is an ISC vacancy, require contractors to recruit a replacement quickly, then have TA Team provide one-on-one training to newly hired ISC, so they can begin providing services sooner and not have to wait for the next regularly scheduled training module.	July 2005	Completed. FFY 2007 POE contracts now contain staffing requirements to meet this need. Specific penalties are also indicated for noncompliance with this requirement. Evaluation of each POE is completed on a quarterly basis. Trainings for new service coordinators (SCs) are now offered on a very frequent basis. 1-on-1 trainings are also provided for new SCs when necessary for immediate upstart.
2. Have staff position that provides supervision/oversight to Primary Level Evaluators to further ensure that evaluations are completed timely.	August 2005	Completed
3. Gather monitoring data on each POE relative to the 45-day timeline; analyze for problem areas.	July 2005 - June 2006	Completed. Individual district determinations were made and disseminated to each point of entry and responses to the determination were required and obtained from each POE. Root cause analyses were also completed with three of the poorest performing districts and procedures were revised and/or new strategies were developed based on the issues identified. POEs and TAs meet at least quarterly to review performance.
4. Provide training to POE's on any problems identified by monitoring of 45-day timeline.	July 2005 - June 2006	Completed. All POEs are monitored and follow up is provided where indicated.
5. Provide training to the agencies that hold Point of Entry contracts on the requirement of the 45-day timeline	July 2005 – June 2006	Completed.
6. Provide training to all providers on the requirement of the 45-day timeline to increase	July 2005 – June 2006	Completed. Continues to be an ongoing point of emphasis for

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awareness of all providers contribution to meeting this requirement		Kentucky and within multiple communications disseminated on a regular basis (e.g. weekly Central Office newsletter, website, service coordinators meetings).
7. Investigate requiring semi-annual meetings/trainings for all providers in order to provide training/technical assistance on the 45-day timeline and other important issues.	July 2006 – June 2007	Completed. CSPD committee reconvened and discussed this issue. The committee was in agreement that regular training should be required for all providers
8. Investigate establishment of eligibility pathways for children with the following conditions: medically fragile, social communication delay/autism spectrum, deaf/blind, and extreme prematurity.	July 2006 – June 2007	Completed. At this time there are no plans to move forward with eligibility pathways but such a plan might be implemented in the future.
9. Investigate changing the state regulation time line for evaluation from 14 calendar days to 10 calendar days and the assessment time line from 10 working days to 10 calendar days.	July 2006 – June 2007	Completed. At this time analysis of the data does not support the need to change the time line for evaluation.
10. Recruit and retain adequate supply of service providers to meet evaluation, assessment and initial service coordination needs.	July 2007- June 2008 <u>June 2011</u>	POE contracts now require an appropriate level of staffing. Performance by district is now posted on the website on a quarterly basis. Maps have been developed based on provider information to help assess the level of provider need. UPDATE February 2009: Kentucky believes there to be a need for this activity beyond June, 2008 (see below).
11. Investigate the development of standard forms for all formal First Steps processes/procedures that meet state criteria. (i.e. discharge summaries; intake forms; progress notes, etc.)	July 2008 – June 2009	Completed in Winter 2008. With the implementation of the new data management system the forms and reports are now standard across all districts.
12. Investigate having Points of Entry also do Primary Level Evaluations in order to shorten the time requirements for evaluation.	July 2008 – June 2009	This activity is being actively explored by First Steps administration.
13. Share performance data with POE administration on a routine basis and provide targeted technical assistance to address	January 2007 – June 2011	Data is shared with POEs on a quarterly basis and each POE meets with their respective TA quarterly to

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identified performance barriers.		review performance and develop strategies for problem areas.
14. Continue to work with NECTAC on the state improvement plan to address compliance with the 45-day timeline.	January 2007 – June 2011	<p>NECTAC has proven to be a valuable partner in helping Kentucky identify and develop strategies to address barriers to performance improvement.</p> <p>Kentucky will continue to partner with NECTAC as policies/procedures are developed/revised, activities are implemented/reviewed, and performance is analyzed.</p>
15. Investigate developing standard uniform (across districts) patient informational brief or revision to the current Family Handbook to include information emphasizing the Federal mandate to complete the IFSP and to highlight the family's role in accomplishing this.	January 2008 – June 2009	Completed in FFY 2007. Information regarding the 45-day timeline requirement was included in an informational DVD that is distributed to all new families by Point of Entry staff. A link to this video is also included on the First Step website.
16. Investigate formalizing how high performance Points of Entry share strategies with lower performing Points of Entry.	January 2008 – June 2009	Kentucky's Part C program is in the process of filling the Point of Entry liaison position. Once this position is filled, additional direction will be given regarding how to best of formalize the sharing of information.
17. Investigate restructuring eligibility determination and the process of obtaining assessments for service provision to make the process more streamlined and smooth for families.	January 2008 – June 2011	This activity is being actively explored by First Steps administration.
18. Develop a provider matrix for evaluation and service provision to make the process of selecting available service providers less time consuming.	July 2008 – June 2009	Completed in Winter 2008. Kentucky's new data management system (TOTS) includes a mechanism for providers to control their availability online, thereby streamlining the referral process for service coordinators.
19. Investigate combining the roles of initial service coordinator and primary service coordinator to make the process of service coordination more streamlined and efficient for families.	January 2008 – June 2011	<p>A stakeholder group has previously recommended merger of the PSC and ISC roles. First Steps Central office is taking steps toward implementing this recommendation in SFY 10.</p> <p>UPDATE February, 2009: This</p>

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		remains a focus of the First Steps administration.
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Explanation of Progress or Slippage that occurred for FFY 2007

Eight (8) of 15 EIS programs demonstrated improvement from FFY 2006 to FFY 2007. The Barren River District, in particular, improved from 56.8% compliance in FFY 2006 to 89.8% compliance in FFY 2007 and as of the 4th quarter of FFY 2007 had reached 93.5% compliance. Three (3) of 15 EIS programs maintained 100% compliance from FFY 2006 to FFY 2007. Three (3) of the remaining four (4) EIS programs demonstrated very minor slippage, but remained in substantial compliance. The fourth and final EIS program demonstrated significant slippage. This is due to staffing issues at the EIS program during the first two quarters of the fiscal year. First Steps Central Office provided support and assistance during the course of the year and it should be noted that this EIS program's performance for the third and fourth quarters of FFY 2007 reflected 91.3% and 100% compliance respectively.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007:

IMPROVEMENT ACTIVITY	TIMELINE	JUSTIFICATION/RESOURCES
10. Recruit and retain adequate supply of service providers to meet evaluation, assessment and initial service coordination needs.	July 2007- June 2008 <u>June 2011</u>	Justification: Kentucky believes there to be a need for this activity beyond June, 2008 (see below). While EIS program contracts have requires sufficient staffing at the EIS program level, that does not currently assure sufficient numbers of Primary Level Evaluators or assessors. There remains a need to focus attention on provider recruitment and retention. Resources: Regional Technical Assistance Teams and Point of Entry Management staff.
20. Work with Kentucky's TA partners to revise the current monitoring system and restructure the system of General Supervision in order to develop a process to systematically identify findings of noncompliance and monitor and document the timely correction of noncompliance.	December 2008 – June 2010	Justification: Kentucky's current monitoring system is unable to efficiently or effectively assist the state in determining timely correction of noncompliance. Kentucky believes this to be a critical program need. Resources: Part C Central Office staff, First Steps Program Evaluators, Point of Entry Management staff, Kentucky TA partners (MSRRC, NECTAC, and DAC).

Part C State Annual Performance Report (APR) for 2007

Overview of the Annual Performance Report Development: See *Overview of Kentucky's State Annual Performance Report Development Process*.

Monitoring Priority: EFFECTIVE GENERAL SUPERVISION PART C/EFFECTIVE TRANSITION

Indicator 8: **Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including: A. IFSPs with transition steps and services; B. Notification to LEA, if child potentially eligible for Part B; and C. Transition Conference, if child potentially eligible for Part B. (20 USC 1416(a)(3)(B) and 1442)**

Measurement:

- A. Percent = # of children exiting Part C who have an IFSP with transition steps and services divided by the # of children exiting Part C times 100.
- B. Percent = # of children exiting Part C and potentially eligible for Part B where notification to the LEA occurred divided by the # of children exiting Part C who were potentially eligible for Part B times 100.
- C. Percent = # of children exiting Part C and potentially eligible for Part B where the transition conference occurred divided by the # of children exiting Part C who were potentially eligible for Part B times 100.

FFY	Measurable and Rigorous Target
2007 (2007 – 2008)	100% of all children exiting Part C will receive timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday by: having IFSPs with transition steps and services; notification of LEA if child potentially eligible for Part B; and a transition conference, if child potentially eligible for Part B.
2008 (2008 – 2009)	100% of all children exiting Part C will receive timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday by: having IFSPs with transition steps and services; notification of LEA if child potentially eligible for Part B; and a transition conference, if child potentially eligible for Part B.
2009 (2009 – 2010)	100% of all children exiting Part C will receive timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday by: having IFSPs with transition steps and services; notification of LEA if child potentially eligible for Part B; and a transition conference, if child potentially eligible for Part B.

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2010 (2010 – 2011)	100% of all children exiting Part C will receive timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday by: having IFSPs with transition steps and services; notification of LEA if child potentially eligible for Part B; and a transition conference, if child potentially eligible for Part B.
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Response to Kentucky Part C FFY 2006 SPP/APR Response Table:

8A: The FFY 2006 SPP/APR Response Table required Kentucky to “demonstrate compliance with the IFSP transition content requirements in 34 CFR 303.148(b)(4) and 303.344(h), including reporting correction of the noncompliance identified in the FFY 2006 APR.” The FFY 2006 APR reported 74.5% compliance. Kentucky’s FFY 2007 APR herein reports 89% compliance. While this represents significant progress, it does not reflect full compliance. Further, child-level correction of noncompliance identified in FFY 2006 cannot be made. The monitoring that took place in FFY 2006 looked at the individual child records of children who had already exited the First Steps program. As such, the requirement no longer applies to the child. Further, due to the monitoring method, it is not possible to track noncompliance back to the child-level. Kentucky Part C understands that this is a critical issue related to its General Supervision of the program and Kentucky wants to assure OSEP that steps are being taken to address the General Supervision system, including the system of monitoring. A modified system of General Supervision was mapped out with a representative from DAC during the onsite Data Verification visit in December, 2008 and a follow-up meeting is scheduled with Kentucky’s TA partners in March, 2009 to continue this work.

Steps were taken to identify noncompliance via on-site monitoring and identify the EIS programs in which noncompliance occurred. Program policies and procedures were clarified, targeted technical assistance was provided, and performance has improved to a level approaching, but not yet reaching substantial compliance.

8B: The FFY 2006 SPP/APR Response Table required Kentucky to “demonstrate that the State is in compliance with the LEA notification requirements in 34 CFR 303.148(b)(1), including reporting correction of the noncompliance identified in the FFY 2006 APR.” The FFY 2006 APR reported 93.9% compliance. Kentucky’s FFY 2007 APR herein reports 92.8% compliance. However, as is reported later under Actual Target Data for FFY 2007, Kentucky believes its level of compliance to be very near 100% when it is taken into account that in addition to the electronic data sharing process between Kentucky Part B and Kentucky Part C, service coordinators also notify the LEA of children who are potentially eligible for Part B. Child-level correction of noncompliance identified in FFY 2006 cannot be made. The children for whom notification did not occur have already aged out of the First Steps program. As such, the requirement no longer applies to the child. Effective December 15, 2008, First Steps transitioned from its former data system (CBIS) to a new data system (TOTS). The data sharing process between TOTS and Kentucky Part B has been formatted and steps have been taken to assure that the data share is limited to those children who are deemed “potentially eligible for Part B”. Kentucky is confident that the data sharing process between TOTS and Kentucky Part B will be more effective than the process formerly in place between CBIS and Kentucky Part B and is hopeful that this will enable Kentucky Part C to demonstrate full compliance with Indicator 8B in FFY 2008.

8C: The FFY 2006 SPP/APR Response Table required Kentucky to “demonstrate that the uncorrected noncompliance identified in FFY 2005 and remaining four findings of noncompliance from FFY 2004 were corrected.” In addition, Kentucky was required to “demonstrate compliance with the requirements in 34 CFR 303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)), including reporting correction of the noncompliance identified in the FFY 2006 APR.” The FFY 2006 APR reported 78% compliance. Kentucky’s FFY 2007 APR herein reports 79% compliance. Kentucky is not able to demonstrate full compliance with the requirements in 34 CFR 303.148(b)(2)(i). Further, Kentucky is unable to demonstrate that the noncompliance identified in FFY 2005 and the remaining 4 instances of noncompliance identified in 2004 were corrected. While this was indicated in last year’s APR, it may have appeared that Kentucky was continuing to work on determining whether the noncompliance was corrected. That is not the case. Kentucky is unable to determine whether the noncompliance reported in

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2004 or 2005 were corrected. In FFY 2006, Kentucky began reporting findings according to the definition provided by OSEP. Findings of noncompliance were reported by EIS program rather than by individual provider as they had been in the past. In FFY 2007, Kentucky reviewed all EIS programs again to assess compliance with Indicator 8C. No program had achieved full compliance. Therefore, Kentucky is unable to demonstrate correction of the noncompliance identified in FFY 2006.

Kentucky's current monitoring system is unable to efficiently or effectively assist the state in determining timely correction of noncompliance. Kentucky believes this to be a critical program need. As was indicated previously, Kentucky is working with its TA partners (DAC, MSRRRC and NECTAC) to redesign its monitoring system as it restructures its system of General Supervision. Kentucky will assure that the new system design is able to effectively and efficiently address the timely correction of noncompliance.

Actual Target Data for FFY 2007:

8A: Indicator 8A is a compliance indicator. The measurable and rigorous target is 100%. Kentucky used record review monitoring data and selected its EIS programs based on the 15 Districts responsible for local implementation of the Part C Early Intervention program. 20% of the records were randomly selected from all children transitioning out of First Steps during FFY 2007.

Total Records Reviewed	IFSPs with Transition Steps and Services	% Compliance
446	396	89%

Table 1

In FFY 2006, 74.5% of children exiting Part C in Kentucky received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including IFSPs with transition steps and services. In FFY 2007, Program Evaluators randomly reviewed 446 records (20%). 396 records demonstrated compliance (89%). The measurable and rigorous target is 100%.

8B: Indicator 8B is a compliance indicator. The measurable and rigorous target is 100%. Kentucky used data from its data system to report on Indicator 8B.

Notification to LEA for Children Potentially Eligible for Part B		
	FFY 2006	FFY 2007
Total Children Turning 3 and Potentially Eligible for Part B	2,599	2,798
Total Children for whom LEA was Notified	2,440	2,597
Percent of Children for whom LEA was Notified	93.9%	92.8%

Table 2

First Steps automatically notifies the LEA quarterly for all children active in the program who will be turning 3 within 6 months. Late in 2007, an error was found in the programming of the automated notification. This affected the Fall/Autumn file sent to the LEA, but subsequent files were corrected. For the period from July 1, 2007 through June 30, 2008, 92.8% of the 2,798 children potentially eligible for Part B who turned 3 during the same period had notification sent to the LEA. The notifications of the 92.8% (2,597) occurred through the automated system, in addition to any direct contact from the child's primary service coordinator to the local school systems. The remaining 201 children did not have notification through the automated system.

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When considering the 201 children for whom automatic notification was not provided, it is important to consider two things. First, as indicated in the paragraph above, Kentucky's automatic notification includes all children active in the program who will be turning 3 within 6 months. During their onsite Data Verification Visit in December, 2008, OSEP clarified for Kentucky Part C that only children who are *potentially eligible for Part B* should be included in the automatic notification process. This means that of the 201 children for whom automatic notification was not sent, approximately 32 children would not have been *potentially eligible for Part B* and would not have needed notification to be sent. Kentucky arrived at this number by calculating the percent of children who either met their IFSP outcomes prior to age 3 or died prior to age 3 (per November 1, 2008 618 data). This percent is 16% of the total number of children exiting First Steps. A second consideration is that the automatic notification process is not the only notification process used by Kentucky. Primary Service Coordinators remain responsible for coordinating transition activities, including notifying local school districts of children on their caseload who are potentially eligible for Part B services. Given these considerations, Kentucky is confident that despite the decline in performance as represented by the data in Table 2, Kentucky is actually at or very near 100% compliance with Indicator 8B.

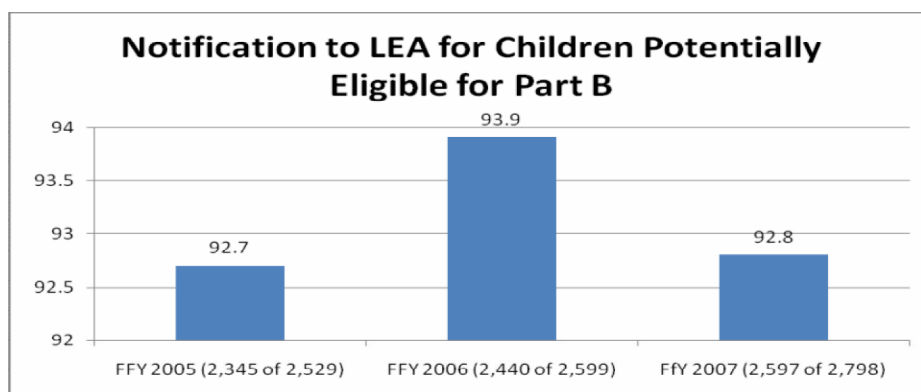


Table 3

8C: Indicator 8C is a compliance indicator. The measurable and rigorous target is 100%. Kentucky used data from its data system to report on Indicator 8C

FFY	Percent of Children Exiting Part C and Potentially Eligible for Part B Where the Transition Conference Occurred
2005	75%
2006	78%
2007	79%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

IMPROVEMENT ACTIVITY	TIMELINE	STATUS
1. Monitor discharge summaries in each district for the date of a transition conference; and validate through program reviews.	July 2006-June 2011	This activity was undertaken in October, 2007 while reviewing IFSPs for Indicator 8A. It is felt that this should not be limited to one-time monitoring, but should be an ongoing activity. The timeline has been extended through June 2011.
2. Train all providers on importance of	July 2006-	Point of Entry staff, including initial service

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accurate transition planning/ reporting.	December 2008	<p>coordinators were informed of the importance of accurate transition planning/reporting in January, 2007 when the FFY 2006 APR was discussed with them. Following that, Technical Assistance Teams provided information regarding accurate transition planning/reporting to PSCs through regional PSC quarterly meetings. First Steps staff and Kentucky Early Childhood Transition Project (KECTP) staff are currently working to update a joint training module. This training should be ready for implementation in Spring/Summer, 2008. Timeline has been extended.</p> <p>UPDATE February 2009: Changes to system training took longer than originally anticipated. However, revised training should be available in February, 2009.</p>
3. Develop State Interagency Transition Agreement between/among all EI/EC agencies.	June, 2006	<p>Completed.</p> <p>UPDATE February 2009: The State Interagency Transition Agreement is due for revision in 2009/2010. The State Transition Team is in the process of reconvening to begin this activity.</p>
4. Train all providers on transition steps/roles/responsibilities/timelines.	July 2006- December 2008 December 2009	<p>An online training was developed and piloted with the First Steps Technical Assistance Teams. The online training is in the process of refinement to include both process steps linkages and intense training on intentional planning using research based/validated practice linked to family priorities and concerns. In addition, First Steps staff and Kentucky Early Childhood Transition Project (KECTP) staff are currently working to update a joint training module. This training should be ready for implementation in Spring/Summer, 2008. Timeline has been extended.</p> <p>UPDATE February 2009: Changes to system training took longer than originally anticipated. Additionally, the implementation of the TOTS system required a refocusing of training priorities in Spring/Summer and Fall 2008. Timeline needs to be extended (see below).</p>
5. Train all service coordinators on completion of the IFSP Transition Plan to assure appropriate documentation via web based training with pre-and post evaluation.	July 2007- June 2009	<p>First Steps staff and Kentucky Early Childhood Transition Project (KECTP) staff are currently working to update a joint training module. This training should be ready for implementation in Spring/Summer, 2008. Timeline has been extended to June</p>

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		2009.
6. Replicate decisions across agencies into regional/local interagency transition agreements.	July 2010- June 2011	UPDATE February 2009: 8 regional and 11 community transition agreements have been modified to reflect state agency transition agreements.
7. Revise monitoring forms to include specific questions to ascertain the validity of transition steps/services listed on the IFSP.	July 2006- June 2007	Completed. Monitoring using the revised form took place in October, 2007.
8. Training developed for sharing timeline targets/steps to services with the understanding that PSCs will prepare families for transition using specific steps.	July 2006- June 2007 December 2008	Ongoing. First Steps staff and Kentucky Early Childhood Transition Project (KECTP) staff are currently working to update a joint training module. This training should be ready for implementation in Spring/Summer, 2008. Timeline has been extended. UPDATE February 2009: Changes to system training took longer than originally anticipated. However, revised training should be available in February, 2009.
9. Develop and send a letter to inform families of the mandated transition steps.	July 2006- June 2008	The letter has been developed and is in its final review stage. A Spring, 2008 implementation is anticipated. Timeline has been extended. UPDATE February 2009: A Parent Orientation DVD was developed and is widely available. This DVD provides general information about First Steps as well as specific information about Transition. In addition, though delayed, a letter to parents was mailed in January, 2009.
10. CBIS will provide family survey data annually to DEICs for dissemination to Transition Teams.	July 2006- June 2007	Completed. Family Survey data is distributed via the APR to the ICC and Technical Assistance Teams who, in turn, disseminate the information to local District Early Intervention Councils (DEICs).
11. Work with KDE and other transition partners to monitor transition activities and address barriers to effective transition.	July 2007 – June 2011	The State Transition Team, including representatives from First Steps, Kentucky Department of Education, Head Start/Early Head Start and Child Care continues to meet on a quarterly basis to monitor transition activities and address barriers to effective transition.

Discussion of Progress by Indicator:

8A: Kentucky demonstrated significant progress from its compliance level in FFY 2006 (74.5%) to its compliance level in FFY 2007 (89%). Kentucky attributes this progress to the targeted training and technical assistance provided following the initial round of focused monitoring in 2007 as well as to the continued focus on Transition playing out in the regional and local Transition Agreement review process

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currently underway. Indicator 8A is a compliance Indicator with a measurable and rigorous target of 100%. As such, Kentucky has failed to demonstrate full compliance for FFY 2007 and because Kentucky continues to demonstrate noncompliance, it has failed to demonstrate correction of the noncompliance identified in FFY 2006. Efforts have been made to address the systemic issues contributing to Kentucky's continued noncompliance and Kentucky feels that those efforts have paid off as Kentucky's performance has shown dramatic improvement. Kentucky understands the urgent need to redesign its monitoring system and restructure its system of General Supervision to allow the Part C program to effectively and efficiently report on the timely correction of noncompliance. Kentucky will continue work toward this effort with its TA partners in March, 2009.

8B: As indicated in the narrative under Actual Target Data for FFY 2007, Kentucky is confident that despite the decline in performance as represented by the data in Table 2, Kentucky is actually at or very near 100% compliance with Indicator 8B. Kentucky reported 100% compliance with Indicator 8B in FFY 2005, but corrected that reporting in FFY 2006 when a glitch in the data system was identified. Kentucky had hoped to be able to report 100% compliance in FFY 2007, but due to another data system issue, has been unable to do so. Further investigation into glitches in the data system will not be undertaken as the data system responsible for the glitches is in the process of being replaced by a new, web-based data management and claims processing system. At this time, Kentucky Part C is focusing efforts on assuring accurate and timely data sharing between the Part C and the Kentucky Part B program.

8C: In FFY 2006 78% of children potentially eligible for Part B and those exiting to other programs had transition conferences. In FFY 2007, that compliance improved to 93%. Kentucky attributes this progress to the targeted training and technical assistance provided following the initial round of focused monitoring in 2007 as well as to the continued focus on Transition playing out in the regional and local Transition Agreement review process currently underway. In addition, this progress is felt to be related to the attention directed toward District performance through the District Determination process. Districts received their first Determinations in June, 2007 and have focused diligent attention on local performance since that time.

The measurable and rigorous target for Indicator 8C is 100%. Kentucky has not demonstrated full compliance with Indicator 8C, but has demonstrated significant progress toward full compliance. Additionally, as with Indicator 8A, because Kentucky continues to demonstrate noncompliance, it has failed to demonstrate correction of the noncompliance identified in FFY 2006. Efforts have been made to address the systemic issues contributing to Kentucky's continued noncompliance. Those efforts do not seem to have reaped the same benefits as have been seen in Indicator 1. Kentucky believes that enhanced collaboration with Kentucky Part B as well as targeted technical assistance related to Transition requirements will facilitate full compliance.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007

IMPROVEMENT ACTIVITY	TIMELINE	JUSTIFICATION AND RESOURCES
4. Train all providers on transition steps/roles/responsibilities/timelines.	July 2006-December 2009	Changes to system training took longer than originally anticipated. Additionally, the implementation of the TOTS system required a refocusing of training priorities in Spring/Summer and Fall 2008. Timeline needs to be extended. Resources: Central Office Staff, Regional Technical Assistance Teams
16. Work with Kentucky's TA partners to revise the current monitoring system and restructure	December 2008 – June 2010	Justification: Kentucky's current monitoring system is unable to efficiently or effectively assist the state in determining timely correction of noncompliance.

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the system of General Supervision in order to develop a process to systematically identify findings of noncompliance and monitor and document the timely correction of noncompliance.		Kentucky believes this to be a critical program need. Resources: Part C Central Office staff, First Steps Program Evaluators, Point of Entry Management staff, Kentucky TA partners (MSRRC, NECTAC, and DAC).
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Part C State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development: See *Overview of Kentucky's Annual Performance Report Process*.

Monitoring Priority: EFFECTIVE GENERAL SUPERVISION PART C/GENERAL SUPERVISION

Indicator 9: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification (20 U.S.C. 1416(a)(3)(B) and 1442)

Measurement:

Percent of noncompliance corrected within one year of identification.

- a. # of findings of noncompliance.
- b. # of corrections completed as soon as possible but in no case later than one year from identification.

Percent = [(b) divided by (a)] times 100.

For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and/or enforcement that the State has taken.

FFY	Measurable and Rigorous Target
2007 (2007 – 2008)	100% of instances of non compliance will be identified and corrected by the general supervision system of First Steps as soon as possible but in no case later than one year from identification.
2008 (2008 – 2009)	100% of instances of non compliance will be identified and corrected by the general supervision system of First Steps as soon as possible but in no case later than one year from identification.
2009 (2009 – 2010)	100% of instances of non compliance will be identified and corrected by the general supervision system of First Steps as soon as possible but in no case later than one year from identification.
2010 (2010 – 2011)	100% of instances of non compliance will be identified and corrected by the general supervision system of First Steps as soon as possible but in no case later than one year from identification.

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Background

Kentucky's current monitoring system is unable to efficiently or effectively assist the state in determining timely correction of noncompliance. Kentucky believes this to be a critical program need. Kentucky is working with its TA partners (DAC, MSRRRC and NECTAC) to redesign its monitoring system as it restructures its system of General Supervision.

Kentucky understands that this is not the first year it has been indicated that Kentucky's Part C General Supervision system – and the monitoring system in particular - is "under construction". This process began in FFY 2005 with assistance from NECTAC. However, progress was impeded by issues that demanded program attention and resources (i.e. establishing administrative structures to support accountability at the EIS program level; addressing barriers to the 45-day timeline; securing sufficient, appropriate staff resources in Central Office; and contracting for, designing and implementing a new web-based statewide data management system).

Steps have been taken in the last two years to set the stage, so to speak, for General Supervision system changes. The establishment of administrative structures at the EIS program level is an example of one of these steps. Kentucky saw an urgent need to create the ability for the EIS program to monitor local performance. Once the administrative structures were in place, Kentucky provided the EIS programs with performance data and required the EIS programs to demonstrate compliance with the 45-day timeline, specifically. In the last two years, Kentucky has seen state performance related to the 45-day timeline improve from 61% to 96% compliance.

Kentucky is poised and motivated to make system changes that will enable the Part C program to effectively implement the requirements and purposes of Part C of the IDEA. An onsite Data Verification visit was conducted by the Office of Special Education Programs in December, 2008. At that time, First Steps Central Office staff spent time with Sandy Schmitz from DAC reviewing Kentucky's current monitoring system and sketching out structural changes that will assist the state in identifying noncompliance and monitoring and documenting the correction of identified noncompliance. These structural changes were further discussed with Kentucky's Central Office staff and Department Administration during the exit interview on December 4, 2008. A follow-up technical assistance onsite visit has been scheduled for the first week of March to further assist Kentucky in planning for the structural changes that will be required to facilitate the changes needed.

Actual Target Data for FFY 2007:

Beginning with Kentucky's FFY 2006 APR, Kentucky began reporting findings of noncompliance and timely correction of noncompliance by EIS program (rather than by individual provider). Kentucky selected its EIS programs based on the 15 Districts responsible for local implementation of the Part C Early Intervention program. June, 2008 marked the first formal notification to EIS programs of identified noncompliance since this change. This notification did not meet the requirements of OSEP as it did not contain the citation of the statute or regulation the EIS program failed to comply with. The notice also did not inform the EIS program of the requirement to correct the noncompliance as soon as possible but in no case later than one year from the time of identification. The notification did, however, require the EIS program to direct immediate attention to the areas of noncompliance, access technical assistance and develop a Performance Enhancement Plan.

In discussing this matter with the OSEP state contact and Kentucky's TA partners during the onsite Data Verification visit, it was determined that Kentucky should *not* report continued FFY 2005 noncompliance identified through the state's data system in the 15 EIS programs this year because those EIS programs have been notified of their noncompliance and are currently working to correct that noncompliance. Kentucky is reporting FFY 2006 findings of noncompliance in Table 1 that were identified through onsite program reviews and complaint investigations.

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Indicator	General Supervision System Components	# of EIS Programs (Districts) Monitored	a. # of Findings of Noncompliance identified in FFY 2006 (07/01/06 – 06/30/07)	b. # of Finding from a. for which correction was verified no later than one year from identification
2. % of infants and toddlers who primarily receive services in the home or community based setting.	Monitoring: Data Review Local APR Dispute Resolution: 1 Formal Complaint	1	1	1
7. % of eligible infants and toddlers with IFSPs for whom an evaluation and assessment and an initial IFSP meeting were conducted within Part C's 45-day timeline.	Monitoring: Data Review Local APR Dispute Resolution: 3 Formal Complaint	3	3	2
8c % of all children exiting Part C with a Transition conference if child potentially eligible for Part B	Monitoring: Data Review Local APR Dispute Resolution: 1 Formal Complaint	1	1	1
			5	4
Percent of Noncompliance Corrected within 1 Year				80%

Five findings of noncompliance were identified for the reporting period. Of those findings, four providers were able to demonstrate timely correction of noncompliance (no later than one year from the time of identification). One provider/EIS program was unable to demonstrate full correction of noncompliance. That finding was related to the 45-day timeline. While the EIS program was not able to demonstrate *full* compliance within one year of identification, they were able to demonstrate *full* compliance in time for FFY 2007 data collection.

APR Template – Part C (4)

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State

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

IMPROVEMENT ACTIVITY	TIMELINE	STATUS
1. Work closely with Federal Contact on ways to strengthen current monitoring system.	October 2005 - 2011	Though this process was initiated some time ago and work has been done with past Federal Contacts and NECTAC, Kentucky feels poised to begin this work with renewed energy at this time. An onsite technical assistance visit has been scheduled with Kentucky's OSEP State Contact, NECTAC, MSRRC and DAC in March, 2009. This visit will be a planning meeting to focus on the restructuring of Kentucky's General Supervision system, including its system of monitoring and technical assistance.
2. Contact Mid-South Regional Resource Center, National Center for Special Education Accountability Monitoring (NCSEAM) and National Early Childhood Technical Assistance Center (NECTAC) regarding ways to develop stronger monitoring and data collection process.	October 2005	Completed. UPDATE February, 2009: The new service agreement with Mid-South Regional Resource Center includes deliverables related to the successful conversion to a new data system and targeted technical assistance related to General Supervision and Transition. In addition, First Steps Central Office continues to work with NECTAC on enhancing the General Supervision in the Part C program and is working with DAC as well.
3. Revisit monitoring policies and procedures with Technical Assistance Teams in order to ensure monitoring is covered in each district to identify systemic problems based on Part C requirements.	December 2006 – June, 2009	A workgroup comprised of Program Evaluators was convened in December, 2006 to begin a comprehensive review and revision of the current monitoring policies and procedures. Work was interrupted mid-(fiscal)year due to other program issues, but the group has since reconvened. In addition, the QA Administrator position was filled in December, 2007. That staff person will assume responsibility for following up on this activity. UPDATE February 2009: As a follow-up to the OSEP Data Verification visit, a two-day planning meeting has been scheduled in March, 2009 to provide a time for Kentucky Part C to meet with representatives from MSRRC, NECTAC and DAC to address General Supervision, including monitoring activities.
4. Design a report to collect training and technical assistance activities related to specific non-compliance cited.	September 2007	Completed
5. Develop Training Module on Program Monitoring in relation to non-compliance issues that have been identified in order to ensure	September 2008 <u>December</u>	With revisions to the General Supervision and program monitoring systems occurring at this time, training will be developed after the March 2009 TA meeting.

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it is corrected.	<u>2009</u>	
6. Develop a follow-up questionnaire to trainings in order to ensure that training on correcting non-compliance is effective.	September 2008 <u>December 2009</u>	With revisions to the General Supervision and program monitoring systems occurring at this time, training will be developed after the March 2009 TA meeting.
7. Provide training to providers on program review procedures in order to ensure they are familiar with the program review process.	June 2009	Pending the review and revision of monitoring policies and procedures.
8. Develop web-based reporting regarding systemic issues identified through program monitoring for providers to correct noncompliance.	June 2010	Kentucky released a Request For Proposal (RFP) in September, 2007 to develop and implement a web-based comprehensive data management system. UPDATE: In February 2008, Kentucky's Part C program entered into an agreement with Yahasoft, INC. to develop a statewide web-based data management and claims processing system. Development began in April, 2008 and the new system, called TOTS, went live on December 15, 2008. The new service agreement with Mid-South Regional Resource Center includes deliverables related to the successful conversion to the new data system and targeted technical assistance related to General Supervision and Transition.
9. Develop policies and procedures to consistently document the receipt, investigation and resolution of formal complaints.	December 2007	Completed.
10. Review the current monitoring priority areas being reported and explore the need for reporting on additional monitoring areas.	December 2009	This work will continue following the meeting with Kentucky's technical assistance partners in March, 2009.
11. Develop, implement, enhance and, as necessary, improve the use of performance data in program monitoring.	June 2007 – June 2011	Kentucky's new data system (TOTS) went live on December 15, 2008. Kentucky will work with MSRRC to explore the reporting capabilities of TOTS.

Explanation of Progress or Slippage that occurred for FFY 2007

It appears from Table 1 that Kentucky's performance has improved from 28.26% in FFY 2006 to 80% in FFY 2007. This is somewhat misleading. As was stated in the narrative ahead of Table 1, it was determined that continuing noncompliance data from FFY 2005 should not be reported in Table 1.

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State

Rather, this should be considered a “correction” year because EIS programs were notified in June, 2008 of the need to correct noncompliance. Therefore, the data in Table 1 is reflective only of findings of noncompliance from FFY 2006 that were identified through program review and/or complaint investigation.

Five findings of noncompliance were identified for the FFY 2006 reporting period. Of those findings, four providers were able to demonstrate timely correction of noncompliance (no later than one year from the time of identification). One provider/EIS program was unable to demonstrate full correction of noncompliance. That finding was related to the 45-day timeline. While the EIS program was not able to demonstrate *full* compliance within one year of identification, they were able to demonstrate *full* compliance in time for FFY 2007 data collection.

As has been stated in several Indicators leading up to Indicator 9, Kentucky’s current monitoring system is unable to efficiently or effectively assist the state in determining timely correction of noncompliance. Kentucky believes this to be a critical program need. Kentucky is working with its TA partners (DAC, MSRRRC and NECTAC) to redesign its monitoring system as it restructures its system of General Supervision. Kentucky will assure that the new system design is able to effectively and efficiently address the timely correction of noncompliance.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007

IMPROVEMENT ACTIVITY	TIMELINE	JUSTIFICATION/RESOURCES
5. Develop Training Module on Program Monitoring in relation to non-compliance issues that have been identified in order to ensure it is corrected.	September 2008 <u>December 2009</u>	Justification: With revisions to the General Supervision and program monitoring systems occurring at this time, training will be developed after the March 2009 TA meeting. Timeline is extended to December, 2009. Resources: Central Office staff, Program Evaluation staff, Kentucky Federal Contact, NECTAC staff, MSRRRC staff and DAC staff.
6. Develop a follow-up questionnaire to trainings in order to ensure that training on correcting non-compliance is effective.	September 2008 <u>December 2009</u>	Justification: With revisions to the General Supervision and program monitoring systems occurring at this time, training will be developed after the March 2009 TA meeting. Timeline is extended to December, 2009. Resources: Central Office staff, Program Evaluation staff, Kentucky Federal Contact, NECTAC staff, MSRRRC staff and DAC staff.
12. Work with Kentucky’s TA partners to revise the current monitoring system and restructure the system of General Supervision in order to develop a process to systematically identify findings of noncompliance and monitor and document the timely correction of	December 2008 – June 2010	Justification: Kentucky’s current monitoring system is unable to efficiently or effectively assist the state in determining timely correction of noncompliance. Kentucky believes this to be a critical program need.

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noncompliance.		Resources: Part C Central Office staff, First Steps Program Evaluators, Point of Entry Management staff, Kentucky TA partners (MSRRC, NECTAC, and DAC).
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Part C State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development: see *Overview of Kentucky's State Annual Performance Report Development Process*.

Monitoring Priority: Effective General Supervision Part C / General Supervision

Indicator 10: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint

Measurement: Percent = (1.1(b) + 1.1(c)) divided by (1.1) times 100

FFY	Measurable and Rigorous Target
2007 (2007-2008)	100% of signed written complaints will have reports issued and be resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint
2008 (2008-2009)	100% of signed written complaints will have reports issued and be resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint
2009 (2009-2010)	100% of signed written complaints will have reports issued and be resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint
2010 (2010-2011)	100% of signed written complaints will have reports issued and be resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint

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Actual Target Data for FFY 2007:

Table 4 of Information Collection 1820-0678; Section A

SECTION A: Written, signed complaints	
(1) Written, signed complaints total	26
(1.1) Complaints with reports issued	18
(a) Reports with findings	17
(b) Reports within timeline	17
(c) Reports within extended timelines	1
(1.2) Complaints withdrawn or dismissed	8
(1.3) Complaints pending	0
(a) Complaint pending a due process hearing	0

In FFY 2007, Kentucky had a total of 26 written formal complaints. Of the 26 complaints, 18 had reports issued and 17 of those had findings. 17 of 18 reports issued were completed within the required timeline.

Of the 26 formal written complaints, 3 were against the same service coordinator. Immediate steps were taken to correct the issues with this provider. After extensive technical assistance it was determined that the service coordinator could not come into regulatory compliance and her contract with First Steps was terminated.

Additionally, in another area of the state, 2 formal written complaints were made by the same provider against other members of the IFSP team. Through a thorough investigation it was determined that one of the complaints was unfounded. The provider making the complaints also had complaints lodged against her by IFSP team members. This resulted in a program evaluation and the provider was required to complete a corrective action plan.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

IMPROVEMENT ACTIVITY	TIMELINE	STATUS
1. Develop a Complaint form for filing formal complaints and also outline procedures to ensure families can get complaints to First Steps Administration.	June 2006	Completed
2. Revisit the complaint process and timelines with Technical Assistance Teams to ensure timely completion of complaints and thorough investigations.	September 2006	Completed
3. Revise the Family Rights Handbook to include a complaint	June 2008	Deleted (see below)

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form and procedures in order for families to be aware of how to file a formal complaint.		
4. Revisit trainings for providers and families to ensure complaint process procedures are detailed and that they are aware of how to file a formal complaint.	June 2008	Complete. Information regarding parent rights has been clarified in the Parent Orientation DVD. Additionally, provider training, including service coordinator training, as been revisited. Updates have been made to the trainings. Due to the implementation of TOTS, the <i>implementation</i> of the revised training was delayed longer than expected, but will proceed in February, 2009.
5. Monitor formal program complaints to identify compliance concerns and address negative performance trends.	June 2006-June 2011	<p>There continues to be an ongoing need to monitor performance trends in the First Steps program and address formal program complaints in a timely manner. The Part C Coordinator, QA Administrator and SPP/APR workgroup will facilitate this activity.</p> <p>UPDATE February 2009: As a follow-up to the OSEP Data Verification visit, a two-day planning meeting has been scheduled in March, 2009 to provide a time for Kentucky Part C to meet with representatives from MSRRC, NECTAC and NCSEAM to address General Supervision, including monitoring activities.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007

IMPROVEMENT ACTIVITY	TIMELINE	JUSTIFICATION/RESOURCES
3. Revise the Family Rights Handbook to include a complaint form and procedures in order for families to be aware of how to file a formal complaint.	June 2008	Justification: The APR workgroup struggled with this Improvement Activity this year. The Family Rights Handbook was not revised to include this information. The Family Rights Handbook does currently provide information regarding the process for

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		resolving complaints through the regional Program Evaluator. Additionally, every parent/guardian reads (or is read) and signs the Statement of Assurances, which also provides information about filing a complaint through the regional Program Evaluator. After consideration, it has been decided to delete this improvement activity.
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Part C State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development: see *Overview of Kentucky's State Annual Performance Report Development Process*.

Monitoring Priority: Effective General Supervision Part C / General Supervision

Indicator 11: Percent of fully adjudicated due process hearing request that were fully adjudicated within the applicable timeline. (20 U.S.C. 1416 (a)(3)(B) and 1442)

FFY	Measurable and Rigorous Target
2007 (2007-2008)	100% of due process hearing request will be fully adjudicated within the applicable timeline.
2008 (2008-2009)	100% of due process hearing request will be fully adjudicated within the applicable timeline.
2009 (2009-2010)	100% of due process hearing request will be fully adjudicated within the applicable timeline.
2010 (2010-2011)	100% of due process hearing request will be fully adjudicated within the applicable timeline.

Actual Target Data for FFY 2007:

There were no due process hearings requested for this time period.

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Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

IMPROVEMENT ACTIVITY	TIMELINE	STATUS
1. Review policies and procedures for obtaining a Due Process Hearing with Technical Assistance Teams.	June 2006	Completed
2. Monitor Family Orientation trainings to ensure procedures are explained to families regarding obtaining Due Process Hearing.	June 2006	Completed
3. Technical Assistance Teams and Central Office staff are in the process of creating a DVD which will include a discussion of medication and due process hearing requests. The POE will provide a copy of the DVD in the packet given to each family at the time of the initial IFSP meeting. For any family that does not have the ability to watch a DVD, a more in depth discussion of the due process will be undertaken at the IFSP meeting with particular attention paid to the rights and the complaint process.	June 2007-June 2008	Completed. With funding from KECTP 4000 DVDs were copied. DVDs were distributed to Technical Assistance Teams with dissemination instructions for sharing with families. The video is also available for viewing on the First Steps homepage. The Family Orientation gives a detailed description of what families should expect from the program including family rights, and transition information.
4. Central Office will seek input from stakeholders, including families, about the complaint process, in order to better understand the lack of formal written complaints, mediations and due process hearing requests.	June 2007-December 2009	While it is not wholly agreed that the lack of due process hearing requests is cause for concern, Kentucky feels it is important to address this matter directly with stakeholder groups in the state. The Part C Coordinator will facilitate this process. UPDATE February, 2009: Kentucky has been unable to work on this improvement activity to date. It is anticipated that attention may be focused on this activity once TOTS implementation is complete.
5. Monitor due process hearing requests if/when they are received to ensure that system issues are identified and	June 2007-June 2011	For general supervision and accountability purposes, it is necessary to continually monitor program complaints in order to identify and address system

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addressed in a timely manner.		issues. The Part C Coordinator, QA Administrator and all program evaluator will facilitate this process. UPDATE February 2009: As a follow-up to the OSEP Data Verification visit, a two-day planning meeting has been scheduled in March, 2009 to provide a time for Kentucky Part C to meet with representatives from MSRRC, NECTAC and NCSEAM to address General Supervision, including monitoring activities.
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Explanation of Progress or Slippage that occurred for FFY 2007

Kentucky had no requests for due process hearings in FFY 2007. Kentucky continues to exercise efforts to assure that families are aware of due process rights and procedures, including the ability to resolve disputes through mediation. Kentucky also continues to work to ensure that disputes are resolved whenever possible in a timely manner at the local level.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007

No revisions to proposed targets/improvement activities/timelines/resources are being made.

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Part C State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development: see *Overview of Kentucky's State Annual Performance Report Development Process*.

Monitoring Priority: Effective General Supervision Part C / General Supervision

Indicator 13: Percent of mediations held that resulted in mediation agreement. (20 U.S.C. 1416(a)(3)(B) and 1442)

Measurement:

Percent = (2.1(a)(i) + 2.1(b)(i) divided by (2.1) times 100

FFY	Measurable and Rigorous Target
2007 (2007-2008)	80% of mediations will result in mediation agreements.
2008 (2008-2009)	80% of mediations will result in mediation agreements.
2009 (2009-2010)	80% of mediations will result in mediation agreements.
2010 (2010-2011)	80% of mediations will result in mediation agreements.

Actual Target Data for FFY 2007:

There were no mediations for this reporting period.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

IMPROVEMENT ACTIVITY	TIMELINE	STATUS
1. Review policies and procedures for obtaining a Due Process Hearing with Technical Assistance Teams.	June 2006	Completed
2. Monitor Family Orientation trainings to ensure procedures are explained to families regarding obtaining Due process Hearing.	June 2006	Completed
3. Technical Assistance Teams	January 2007-December 2007	Completed. With funding from

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and Central Office staff are in the process of creating a DVD which will include a discussion of medication and due process hearing requests. The POE will provide a copy of the DVD in the packet given to each family at the time of the initial IFSP meeting. For any family that does not have the ability to watch a DVD, a more in depth discussion of the due process will be undertaken at the IFSP meeting with particular attention paid to the rights and the complaint process.		KECTP 4000 DVDs were copied. DVDs were distributed to Technical Assistance Teams with dissemination instructions for sharing with families. The video is also available for viewing on the First Steps homepage. The Family Orientation gives a detailed description of what families should expect from the program including family rights, and transition information.
4. Central Office will seek input from stakeholders, including families, about the complaint process, in order to better understand the lack of formal written complaints, mediations and due process hearing requests.	June 2007-December 2009	<p>While it is not wholly agreed that the lack of due process hearing requests is cause for concern, Kentucky feels it is important to address this matter directly with stakeholder groups in the state. The Part C Coordinator will facilitate this process.</p> <p>UPDATE February, 2009: Kentucky has been unable to work on this improvement activity to date. It is anticipated that attention may be focused on this activity once TOTS implementation is complete.</p>
5. Monitor due process hearing requests if/when they are received to ensure that system issues are identified and addressed in a timely manner.	June 2007-June 2011	<p>For general supervision and accountability purposes, it is necessary to continually monitor program complaints in order to identify and address system issues. The Part C Coordinator, QA Administrator and all program evaluator will facilitate this process.</p> <p>UPDATE February 2009: As a follow-up to the OSEP Data Verification visit, a two-day planning meeting has been scheduled in March, 2009 to provide a time for Kentucky Part C to meet with representatives from MSRRC, NECTAC and NCSEAM to address General Supervision, including monitoring activities.</p>

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Explanation of Progress or Slippage that occurred for FFY 2007

Kentucky held no mediations in FFY 2007. Kentucky continues to exercise efforts to assure that families are aware of due process rights and procedures, including the ability to resolve disputes through mediation. Kentucky also continues to work to ensure that disputes are resolved whenever possible in a timely manner at the local level.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2007:

No revisions to proposed targets/improvement activities/timelines/ resources are being made.

Part C State Annual Performance Report (APR) for FFY 2007

Overview of the Annual Performance Report Development: See *Overview of Kentucky's Annual Performance Report Process*.

Monitoring Priority: Effective General Supervision Part C / General Supervision

Indicator 14: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. (20 U.S.C. 1416(a)(3)(B) and 1442)

Measurement:

Stated reported data, including 618 data, State Performance Plan, and Annual Performance Reports are:

- a: Submitted on or before due dates (February 1 for child count, including race and ethnicity, setting and November 1 for exiting, personnel, dispute resolution); and
- b: Accurate (describe mechanisms for ensuring accuracy)

FFY	Measurable and Rigorous Target
2007 (2007-2008)	100% of state reported data (618 and State Performance Plan and Annual Performance Report) will be timely and accurate
2008 (2008-2009)	100% of state reported data (618 and State Performance Plan and Annual Performance Report) will be timely and accurate
2009 (2009-2010)	100% of state reported data (618 and State Performance Plan and Annual Performance Report) will be timely and accurate
2010(2010-2011)	100% of state reported data (618 and State Performance Plan and Annual Performance Report) will be timely and accurate

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Actual Target Data for FFY 2007:

Indicator 14 - SPP/APR Data			
APR Indicator	Valid and reliable	Correct Calculation	Total
1	0	1	1
2	1	1	2
3	0	1	1
4	1	1	2
5	1	1	2
6	1	1	2
7	1	1	2
8A	1	1	2
8B	1	1	2
8C	1	1	2
9	1	1	2
10	1	1	2
11	1	1	2
12	1	1	2
13	1	1	2
		Subtotal	28
APR Score Calculation	Timely Submission Points (5 pts for submission of APR/SPP by February 2, 2009)		5
	Grand Total		33

Indicator 14 - 618 Data					
Table	Timely	Complete Data	Passed Edit Check	Responded to Date Note Requests	Total
Table 1 – Child Count Due Date: 2/1/08	1	1	1	1	4
Table 2 – Settings Due Date: 2/1/08	1	1	1	1	4
Table 3 – Exiting Due Date: 11/1/08	1	1	1	NA	3
Table 4 – Dispute Resolution Due Date: 11/1/08	1	1	1	N/A	3
				Subtotal	14
			Weighted Total (subtotal X 2.5; round ≤ .49 down and ≥ .50 up to whole number)		35
Indicator # 14 Calculation					
			A. APR Total	33	
			B. 618 Total	35	
			C. Grand Total	68	
Percent of timely and accurate data = (C divided by 70 times 100)			(C) / (70) X 100 =		97%

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Data Validity and Reliability

Data provided by the Central Billing and Information System is part of an integrated demographic, service, and billing (claims) database. The system includes a complicated set of edits and verifications when paying providers for services that require proper documentation of many aspects of children's participation in Part C. For example, if a primary service coordinator forgets to send a "summary sheet" listing the service authorizations documented in a child's IFSP, the providers serving the child will not get paid for services until the omission is corrected. Providers are generally very quick to have the PSC correct such an error. Because indicators 5 and 6 utilize the same data provided by the PSCs, child counts are generally very accurate. Without the claims component and the system edits required for claims, children that would otherwise not get counted are not lost to the database. Each of the indicators with data provided by CBIS is subject to this same kind of interrelatedness from the database. In addition, incorrect and incomplete forms are returned by CBIS to initial and primary service coordinators at the time of data entry to ensure a quality system.

SPP/APR Data

Indicator 1

Data for Indicator 1 is obtained from Kentucky's Central Billing and Information System. Calculations are based on the difference between the authorized service start date and the service claim date. Service start date data is provided by the service coordinator from the IFSP authorizing the service, and service claim date data is provided by the provider providing the service. As discussed in Indicator 1, Kentucky understands that the timeliness measure used in FFY 2007 is not consistent with the measurement criteria for this Indicator. It is, however, consistent with the timeliness measure used in FFY 2006.

Indicator 2

Data for Indicator 2 is obtained from Kentucky's Central Billing and Information System. Data was collected from primary service coordinators serving the child responding to the question "Where were the majority of the child's services delivered" and given a range of options. These data were collected at every 6 month IFSP review on every active child.

Indicator 3

Data for Indicator 3 is obtained from Kentucky's Early Childhood Data System (KEDS). FFY 2007 data was provided by providers responsible for the administration of the cabinet-approved criterion referenced assessment instrument and was entered by KEDS staff at the University of Kentucky. Based on the first level crosswalk procedure, each child's scores on individual assessment items were analyzed to determine age-appropriate functioning. Percentages for the number of items on which the child scored at age level were computed based on cumulative scores over time. Using a common metric (percentages), a difference score was computed between each data point for each child. Percentile analysis was utilized to determine child inclusion for each reporting categories.

Indicator 4

Data for Indicator 4 is obtained from the NCSEAM survey, collected in Kentucky's Central Billing and Information System and analyzed by Kentucky's data manager. Surveys were mailed in Spanish and English to every child active in the December 1, 2007 child count.

Indicators 5 and 6

December 1 Child Count data reported in the Section 618 data to OSEP is used in the calculation of both the Birth to 1 and Birth to 3 participation rates. December 1 Child Count data is obtained from Kentucky's Central Billing and Information System and comes from reports submitted by Initial Service Coordinators for each child upon IFSP development. Every child with an active IFSP on December 1 is counted. The base population numbers which form the denominator for each indicator are provided by the Census.

Indicator 7

Data for Indicator 7 is obtained from Kentucky's Central Billing and Information System. Data is provided by Initial Service Coordinators via an online reporting system. Initial Service Coordinators report online

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the date of referral, contact history, whether the child achieved IFSP (or reason why not), and whether the child achieved IFSP within 45 days (or the reason why not).

Indicator 8A

Data for Indicator 8A is obtained from Kentucky's monitoring system. Program Evaluators reviewed 20 percent of IFSPs in each EIS program for all children exiting Part C in SFY08, not just those who would be potentially eligible for Part B. Program Evaluators looked at IFSPs in each record in order to determine whether the IFSP contained transition steps and services. The findings of those onsite monitoring visits were recorded and submitted to First Steps Central Office for analysis.

Indicator 8B

Data for Indicator 8B is obtained from Kentucky's Central Billing and Information System. First Steps automatically notifies the LEA quarterly for all children active in the program who will be turning 3 within 6 months.

Indicator 8C

Data for Indicator 8C is obtained from Kentucky's Central Billing and Information System. Data is provided by Primary Service Coordinators via discharge forms.

Indicator 9

Data for Indicator 9 is obtained from the data sources identified for Indicators 1 through 8C (listed above). The FFY 2007 APR reports findings identified through onsite program reviews (monitoring) and formal complaint investigations.

Indicators 10, 11 and 13

Data for Indicators 10, 11 and 13 is obtained from Kentucky's monitoring system. Program Evaluators receive and investigate all formal written complaints. Data regarding the numbers and types of complaints is submitted to and compiled by First Steps Central Office. Mediation and Due Process Hearing requests are submitted directly to the Cabinet for Health and Family Services. No requests were received during the reporting period.

618 Data

Tables 1 and 2, due on February 1, 2008 were submitted on January 31, 2008. Tables 3 and 4, due on November 1, 2008 were submitted on October 31, 2008.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007:

IMPROVEMENT ACTIVITY	TIMELINE	STATUS
1. Kentucky will continue to contract with a data manager to assure that data reports are timely and accurate.	July 2005 – June 2011	This is ongoing. Central Office staff will continue to monitor data submission to ensure timeliness and accuracy. UPDATE February 2009: Kentucky is transitioning from the Central Billing and Information System (CBIS) to the Technology-assisted Observation and Teaming Support (TOTS) system. Brenda Curry-White, Kentucky's former data manager, has supported the program through this transition and remains available in a limited

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		capacity to complete the data submissions for FFY 2007 and to coordinate the data submissions for FFY 2008. A new data manager has been identified within Central Office. DAC will provide support and assistance in training the new data manager. The new data manager will participate in the onsite technical assistance meeting in March, 2009.
2. Financial Administrator will manage production of all required reports to meet timelines.	July 2005 – June 2011	Since the hire of Betsy Kennedy, Financial Administrator, 618 reports have been submitted on time. Ms. Kennedy continues to be diligent about federal reporting timelines.

Discussion of Progress:

According to the Indicator 14 Calculator, Kentucky continues to demonstrate 97% compliance. Indicator 14 is a compliance Indicator with a measurable and rigorous target of 100%. Indicators 1 and 3 continue to present Kentucky with challenges. Kentucky has explained in Indicator 1 the challenges it faces in providing valid and reliable data for the Indicator as well as its plans for correction. Indicator 3 challenges Kentucky due to its small N. Kentucky feels that its challenges with Indicator 3 should be resolved when reporting data reflects at least one year of consistent policy implementation.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 07:

Kentucky has made no revisions to proposed targets/improvement activities/timelines/resources.

STATE: KY-Kentucky

SECTION A: Written, signed complaints	
(1) Written, signed complaints total	26
(1.1) Complaints with reports issued	18
(a) Reports with findings	17
(b) Reports within timeline	17
(c) Reports within extended timelines	1
(1.2) Complaints withdrawn or dismissed	8
(1.3) Complaints pending	0
(a) Complaint pending a due process hearing	0

SECTION B: Mediation requests	
(2) Mediation requests total	1
(2.1) Mediations	
(a) Mediations related to due process	0
(i) Mediation agreements	0
(b) Mediations not related to due process	0
(i) Mediation agreements	0
(2.2) Mediations not held (including pending)	1

SECTION C: Hearing requests	
(3) Hearing requests total	0
(3.1) Resolution meetings (For States adopted Part B Procedures)	0
(a) Settlement agreements	0
(3.2) Hearings (fully adjudicated)	0
(a) Decisions within timeline	0
Timeline adopted:	
(b) Decisions within extended timeline (only applicable if using Part B due process hearing procedures)	0
(3.3) Resolved without a hearing	0